## EXHIBIT 3 REVISED REDACTIONS

1	UNITED STATES DISTRICT COURT
2	FOR THE NORTHERN DISTRICT OF CALIFORNIA
3	000
4	NEELAM SANDHU,
5	Plaintiff,
6	vs. Case No.
	3:24-cv-02002-SK
7	BLACKBERRY CORPORATION,
	a Delaware corporation,
8	
	Defendant.
9	/
10	
11	
12	
13	CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER
14	
15	VIDEO-RECORDED DEPOSITION OF NEELAM SANDHU
16	SAN FRANCISCO, CALIFORNIA
17	FRIDAY, AUGUST 22, 2025
18	
19	
20	
21	
22	
23	Reported by:
24	Anrae Wimberley, CSR No. 7778
25	Job No. 7525313
	Page 1

1	UNITED STATES DISTRICT COURT	1	INDEX	
2	FOR THE NORTHERN DISTRICT OF CALIFORNIA	2		
3	oOo	3 4	MR. LAVOIE 9 oOo	
4	NEELAM SANDHU,	5	EXHIBITS	
5	Plaintiff,	6	EXHIBIT DESCRIPTION PAGE Exhibit 1 E-mail to Nita White-Ivy 18	
6	vs. Case No.	′	from Neelam Sandhu, dated	
	3:24-cv-02002-SK	8	2/6/23; Bates stamped	
7	BLACKBERRY CORPORATION,	9	BB13-00004373 to BB13-00004374	
	a Delaware corporation,	1	Exhibit 2 Photo of text thread; Bates 22	
8		,,	stamped DOE-0001547 through	
	Defendant.	11 12	DOE-0001548 Exhibit 3 Plaintiff's Second Amended 57	
9			Responses to Defendant	
10		13	BlackBerry Corporation's Interrogatories, Set One;	
11		14	no Bates stamps, 24 pages	
12		15	Exhibit 4 Plaintiff's Interrogatories 92	
13	CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER	16	to Defendant BlackBerry Corporation, Set Two; no	
14			Bates stamps, 3 pages	
15	Transpoint of vide	17	Exhibit 5 E mail ahair datad 06	
16	Transcript of video-recorded deposition of NEELAM SANDHU, taken at Munger, Tolles & Olson	18	Exhibit 5 E-mail chain dated 96 10/5/2021; Bates stamped	
18	LLP, 560 Mission Street, 27th Floor, San Francisco,		BB13-00019925 through	
19	California 94105, beginning at 10:33 a.m. and ending	19	BB13-00019926 Exhibit 6 E-mail chain; Bates stamped 104	
20	at 7:43 p.m. on FRIDAY, AUGUST 22, 2025, before	-0	BB13-00019983 through	
21	Anrae Wimberley, Certified Shorthand Reporter No.	21	BB13-00019984	
22	7778.	22	Exhibit 7 E-mail chain; Bates stamped 112 BB13-00012471 through	
23		23	BB13-00012474	
24		24	Exhibit 8 E-mail dated 10/14/2021; 157 Bates stamped BB13-00005838	
25		25	through BB13-00005840	
	Page 2			Page 4
1	APPEARANCES:	1	EXHIBITS (Cont'd)	
2	For Plaintiff:		EXHIBIT DESCRIPTION PAGE Exhibit 9 Short Message Report, Date 157	
3	GOMERMAN BOURN & ASSOCIATES	4	range 10/20/2021; Bates stamped BB13-00010802	
4			through BB13-00010803	
5	825 Van Ness Avenue, Suite 502	5	T 1777 10 T 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
1 .			Exhibit 10 Two photos and a street map 15/	
		6	Exhibit 10 Two photos and a street map 157 labeled "THE LOT City	
6	San Francisco, California 94109	6	labeled "THE LOT City Center;" 2 pages	
7	San Francisco, California 94109 (888) 855-2505	7	labeled "THE LOT City Center;" 2 pages Exhibit 11 E-mail dated 3/26/2023; 174	
7 8	San Francisco, California 94109 (888) 855-2505 maria@gobolaw.com	7 8	labeled "THE LOT City Center;" 2 pages  Exhibit 11 E-mail dated 3/26/2023; Bates stamped BB13-00012835  Exhibit 12 E-mail dated 12/15/2021; 181	
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7 8 9 10	San Francisco, California 94109 (888) 855-2505 maria@gobolaw.com	7 8 9	labeled "THE LOT City Center;" 2 pages  Exhibit 11 E-mail dated 3/26/2023; 174 Bates stamped BB13-00012835  Exhibit 12 E-mail dated 12/15/2021; 181 Bates stamped BB13-00005921  Exhibit 13 E-mail chain dated 181	
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	X H I B I T S (Cont'd)	DACE	1	FRIDAY, AUGUST 22, 2025;	
2 EXHIBIT 3 Exhibit 21	DESCRIPTION E-mail chain dating from	PAGE 216	2	SAN FRANCISCO, CALIFORNIA;	
11	/10/21 to 1/20/22; Bates		3	10:33 A.M.	
	amped BB13-00019951 rough BB13-00019963		4	10.35 74.141.	
5	Ü	210	5	THE VIDEOGRAPHER: Good morning. We are going	10:33:09
	P. E-mail chain, Subject: BB yber Security Weekly	218			10:55:09
L	eadership Team Call; Bates			on the record at 10:33 a.m. on August 22nd, 2025.	
	amped BB13-00007161 rough BB13-00007162			Please note that the microphones are sensitive and	
8		225	8	may pick up whispering and private conversations.	
	Photo of text thread; Bates amped DOE-0001542 through		9	Please mute your phones at this time. Audio and	
D	OE-0001543		10	video recording will continue to take place unless 10:33:3	1
10 Exhibit 24	Chat dating from 9/14/23 to	263	11	all parties agree to go off the record.	
11 12	2/10/23; Bates stamped		12	This is Media Unit 1 of the video-recorded	
	B13-00018995 through B13-00019002		13	deposition of Neelam Sandhu taken by counsel for	
13 Exhibit 25	E-mail chain dating from	291	14	defendant in the matter of Neelam Sandhu versus	
	0/17/23 to 11/2/23; no ates stamp, 7 pages		15	BlackBerry Corporation filed in the United States 10:33:5	51
15 Exhibit 26	Photo of text thread; Bates	315	16	District Court for the Northern District of	
16 st	amped DOE-0001539		17	California, Case No. 3:24-cv-02002-SK.	
Exhibit 27	Progress Notes by Michael	331	18	The location of the deposition is 560	
	chierman at PrimaryCare ervices; Bates stamped		19	Mission Street, 27th Floor, San Francisco,	
18 D	OE-000836 through		20	California 94105. 10:34:17	
19 D	OE-000850 oOo		21	My name is Reilly Leet representing	
20 REPORT	ER'S NOTE: All quotations from		22	Veritext Legal Solutions and I'm the videographer.	
	n the manner in which they we and do not necessarily indicate		23	I'm not related to any party in this action nor am I	
23 quote from	n the document.	te un exact	24	financially interested in the outcome.	
24 25	oOo		25	Counsel will now state their appearances 10:34:38	
25		Page 6	20	Total Harman appearances	Daga 9
		1 age 0			Page 8
1 OUE	CTIONS WITNESS INST		1	and offician for the accord beginning with the	
		RUCTED NOT TO ANSWER:		, & &	10:34:40
2	PAGE LINE		2	noticing attorney.	
2 3	PAGE LINE 212 16		2 3	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here	
2 3 4	PAGE LINE 212 16 256 14		2 3 4	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger,	10:34:40
2 3 4 5	PAGE LINE 212 16 256 14 257 5		2 3 4 5	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.	
2 3 4 5 6	PAGE LINE 212 16 256 14 257 5 274 15		2 3 4 5 6	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff.	10:34:40
2 3 4 5	PAGE LINE 212 16 256 14 257 5 274 15 338 25		2 3 4 5 6 7	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff. MR. LAVOIE: And also present is Maggie Mayo,	10:34:40
2 3 4 5 6	PAGE LINE 212 16 256 14 257 5 274 15		2 3 4 5 6 7	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff.	10:34:40
2 3 4 5 6 7	PAGE LINE 212 16 256 14 257 5 274 15 338 25		2 3 4 5 6 7	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff. MR. LAVOIE: And also present is Maggie Mayo,	10:34:40
2 3 4 5 6 7 8	PAGE LINE 212 16 256 14 257 5 274 15 338 25 340 9		2 3 4 5 6 7 8	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff.  MR. LAVOIE: And also present is Maggie Mayo, in-house counsel for BlackBerry.  THE VIDEOGRAPHER: Thank you.	10:34:40
2 3 4 5 6 7 8 9	PAGE LINE 212 16 256 14 257 5 274 15 338 25 340 9 340 16		2 3 4 5 6 7 8 9	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff.  MR. LAVOIE: And also present is Maggie Mayo, in-house counsel for BlackBerry.  THE VIDEOGRAPHER: Thank you.	10:34:40
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2 3 4 5 6 7 8 9 10	PAGE LINE 212 16 256 14 257 5 274 15 338 25 340 9 340 16 341 6 342 1		2 3 4 5 6 7 8 9 10	noticing attorney.  MR. LAVOIE: Craig Jennings Lavoie, here alongside my colleague, Lauren Beck, of Munger, Tolles & Olson representing defendant BlackBerry.  MS. BOURN: Maria Bourn on behalf of plaintiff.  MR. LAVOIE: And also present is Maggie Mayo, in-house counsel for BlackBerry.  THE VIDEOGRAPHER: Thank you.  Will the court reporter please introduce 10: yourself and administer the oath to the witness and	10:34:40
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	10.05.45		DI 1D 000
1	A. Yes. 10:35:45		BlackBerry CEO or were you not? 10:38:15
2	Q. And you understand that the oath you just	2	A. I was still yeah, I was doing some of
3	swore to tell the truth is the same oath that you	3	the business operations type of work, yes.
4	will swear when you appear before the judge and jury	4	Q. Were you ever Dick Lynch's chief of staff?
5	in this case at trial. 10:35:54	5	A. No. 10:38:27
6	Do you understand that?	6	Q. Not either formally by title or
7	A. Yes.		informally; right?
8	Q. Is there any reason is, such as being	8	A. Correct.
9	under the effect of a medication, that you can't	9	Q. One of the things you say in your
10	give your most accurate testimony today? 10:36:01	10	complaint in this case is that you had a, quote, 10:38:36
11	A. No.	11	significantly smaller team than John Giamatteo had; is that accurate?
12	Q. What was your first position at BlackBerry	12	
13	that was an executive position?	13	A. That's correct.
14	A. I first joined the CEO's direct reports	14	Q. Why is that sorry.
15	leadership team as director of business operations, 10:36:18	15	In what way did you have a significantly 10:38:47 smaller team than John Giamatteo?
16	office of the CEO, which was the chief of staff	16	
17	role. That was in, I want to say I want to say	17	A. The number of employees.
18	2014. I don't remember the date exactly.	18	Q. Can you elaborate on that?
19	Q. So you would have started describing	19	A. That is the answer. I had less number of
20	yourself or conceptualizing yourself as a BlackBerry 10:36:33	20	employees than he did. 10:38:59
21	executive in 2014?	21	Q. Fewer employees who reported up to you
22	A. I would say a CEO direct report. I think	22	directly or indirectly?
23	my contract said leadership team member or something	23	A. Correct.
24	along those lines, yes.	24	Q. Approximately how many employees at the time at the most during your time at BlackBerry 10:39:07
25	Q. Yes. My question is a little different. 10:36:48 Page 10	23	time at the most during your time at BlackBerry 10:39:07 Page 12
1	When would you have started conceiving of yourself, 10:36:50		
	when would you have started conceiving or yoursen, 10.50.50	1	did you have reporting up to you directly or 10:39:12
2	or telling colleagues or telling friends, "I'm an		did you have reporting up to you directly or 10:39:12 indirectly?
3	or telling colleagues or telling friends, "I'm an	2	indirectly?
3	or telling colleagues or telling friends, "I'm an executive at BlackBerry," what year would that have	2 3	indirectly?  MS. BOURN: Can you repeat that question back?
3 4 5	or telling colleagues or telling friends, "I'm an executive at BlackBerry," what year would that have been true?	2 3 4 5	indirectly?  MS. BOURN: Can you repeat that question back?  MR. LAVOIE: No. I can ask it again.
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1	BY MR. LAVOIE: 10:40:	08	1	up to him? 10:41:51
2	Q. In 2023 after you took on the CMO role and		2	A. I would be speculating.
3	you also had the customer success role, what was		3	Q. You can't give me your best estimate more
4	your understanding at that time as to how many		4	or fewer than 500?
5	employees in total reported up to John Giamatteo,	10:40:21	5	A. Not at this time. 10:41:59
6	directly or indirectly? Just your best estimate.		6	Q. So as part of your experience being the
7	It could be a range.		7	chief of staff to the CEO of BlackBerry, you didn't
8	MS. BOURN: Calls for speculation.		8	have any insight into how many people approximately
9	THE WITNESS: I have no idea. It was more than		9	reported to the president of BlackBerry's
10	I had. It was a bigger team. 10:40:3	32	10	cybersecurity unit? 10:42:10
11	BY MR. LAVOIE:		11	MS. BOURN: Asked and answered three separate
12	Q. So you were the chief of staff for the CEO		12	times now.
13	for BlackBerry for a decade and you have no idea how	7	13	THE WITNESS: If you had asked me when I worked
14			14	there, I would have been able to answer the
15	Giamatteo in 2023? 10:40:43	3	15	question. 10:42:17
16	MS. BOURN: Argumentative.		16	BY MR. LAVOIE:
17	BY MR. LAVOIE:		17	Q. So it's something that you think you could
18	Q. That's my question. You were the chief of		18	have answered for me in 2023 but today you have no
19	staff to the CEO of the company for 10 years and			idea?
20	it's your sworn testimony that you have no idea how	10:40:50	20	A. Correct. I wouldn't want to speculate. 10:42:23
21	many people reported up directly or indirectly to		21	Q. When BlackBerry reported its revenue and
22	John Giamatteo in 2023?		22	earnings results to the public and to investors, did
23	MS. BOURN: Argumentative, calls for		23	BlackBerry separate revenue from elite customers
24	speculation, vague and ambiguous.		24	from revenue that was generated by non-elite
25		1:01	25	customers? 10:42:51
20	100 000 000 000 000 000 000 000 000 000	Page 14		Page 16
1	THE WITNESS: I haven't worked there for over	10:41:03	1	MS. BOURN: Vague and ambiguous as to time. 10:42:5
2	18 months now. I don't recall.		2	(Reporter seeks clarification.)
3	BY MR. LAVOIE:		3	THE WITNESS: I asked if he could clarify the
4	Q. You don't remember how many people		4	question, please.
5	reported up to him? You can't even give me any kind	10:41:10	5	BY MR. LAVOIE: 10:43:09
	of estimate? You can't say whether it was more		6	Q. At any point in time when you were at
	you think best estimate it was more than 500 or		7	BlackBerry and leading the elite customer success
	fewer than 500, you can't answer that?		8	group, BlackBerry made SEC reports about its
9	MS. BOURN: Asked and answered. I suggest		9	earnings; right?
10	that 10:41:21		10	A. Correct. 10:43:21
11	MR. LAVOIE: No, Maria. Stop with the speaking		11	Q. While BlackBerry was reporting its
12	objections. You're entitled to a short and plain		12	earnings and you led the elite customer group, did
13	statement of your objection. You're not entitled to		13	BlackBerry separate in its earnings reports the
14	a speaking objection.		14	revenue and earnings that it got from elite
15	MS. BOURN: Please note, for the record,	10:41:27	15	customers from non-elite customers? 10:43:30
	defense counsel is raising his voice and pointing at	,	16	MS. BOURN: Vague and ambiguous as to time,
17	me and not letting me complete my objection. And we	e	17	
18	are seven minutes into the deposition already.		18	You can answer if you know.
19	You can answer if you know.		19	THE WITNESS: It did not.
20	THE WITNESS: My answer is it was more than I	10:41:3		BY MR. LAVOIE: 10:43:40
21	had.		21	Q. It did not. Okay.
22	BY MR. LAVOIE:		22	MR. LAVOIE: And, Marie, you don't need to tell
23	Q. Best estimate, in 2023, was it your		23	her that she can answer if she knows. That just
24	understanding that John Giamatteo had more or fewer		24	eats up time on the clock. And so that's obviously
25	than 500 employees directly or indirectly reporting	10:41:47	25	
23	and the employees effectly of memority reporting	Page 15	23	Page 17

1 BY MR. LAVOIE: 2 Q. Unless your counsel gives you an 3 instruction not to answer a question, you can answer 4 notwithstanding her objection. 5 So you were never disciplined, written up, 10:43:56 6 or put on a performance improvement plan at 7 BlackBerry; correct? 8 A. Correct. 9 Q. Did you ever receive a performance review 10 that was negative overall? 10:44:06 11 A. I received performance reviews that were, 12 as anybody would, had positive feedback and then 13 constructive feedback. That's the purpose of 11 that. You're not entitled to do that. So I'm going 10:4 2 to ask you not to do that again. 3 BY MR. LAVOIE: 4 Q. So Ms. Sandhu, do you see the sentence 5 that says, "I do not report to him"? 10:46:18 6 That's a reference to John Giamatteo; 7 correct? 8 A. I need a moment to read it. 9 Q. Ms. Sandhu, I'm just asking you about a 10 sentence in the first paragraph here. 10:46:37 11 Have you read three sentences into the 12 document yet? 13 MS. BOURN: Please stop interrupting her. She	
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14 performance reviews. 14 can read the document.	
15 Q. That wasn't my question. 10:44:19 15 MR. LAVOIE: No, Maria. Stop making speaking	10:46:46
	10.70.70
18 as being negative overall?  18 BY MR. LAVOIE:  10 MS_ROURN: Asked and answered years and answered years and answered years.	
19 MS. BOURN: Asked and answered, vague and 20 ambiguous as to time. 10:44:28 20 sentence in the e-mail and I'm saying have you read 1	0.46.54
	0:46:54
21 THE WITNESS: No. 21 this sentence, "I do not report to him so I do not	
MR. LAVOIE: I'd like to introduce Exhibit 1, 22 consider him to have any authority over my role"?	
23 which is Tab 39 in my binder, which means nothing to 23 Have you read that yet?	
24 anyone other than me and Lauren. 24 MS. BOURN: I will assert my objections as I	
25 (Deposition Exhibit 1 was marked.) 10:44:56 Page 18 25 see necessary for the record, and she's entitled to 10:4	7:05 Page 20
1 BY MR. LAVOIE: 10:45:10 1 read the document. 10:47	':07
2 Q. So this is an e-mail at the top that you 2 BY MR. LAVOIE:	
3 wrote to Nita White-Ivy on February 6, 2023.  3 Q. Ms. Sandhu, have you read that sentence	
4 Do you see that? 4 yet?	
5 A. I see that. 10:45:20 5 A. I'm continuing to be interrupted so it's	10:47:11
6 Q. And in the opening paragraph in the second 6 hard to focus.	
7 sentence you write or sorry, in the third 7 O. We've been on the record for a minute and	
8 sentence you say, "I do not report to him," that 8 a half and I've asked you to read three sentences	
8 sentence you say, "I do not report to him," that 9 being John Giamatteo, "so I do not consider him to  8 a half and I've asked you to read three sentences 9 into an e-mail.	10:47:22
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_	time? 10:47:46		giving me a hard time, I would lean on my sister for 10:49:57
2	A. No.	2	advice and comfort. So she would only hear about
3	Q. Did you report to John Giamatteo at any	3	those instances, and I didn't want her to have the
4	time while you were at BlackBerry?	4	impression that that's all there is around me.
5	A. No. 10:47:52	5	Because there were many people that I got on with 10:50:10
6	Q. Did you have a dotted line or indirect	6	more so than were giving me a hard time.
7	reporting relationship to John Giamatteo at any	7	Q. So at BlackBerry, in your experience,
	time?	8	there were many more people who you got along well
9	A. No.	9	with than you had disputes me?
10	Q. Did you ever work under John Giamatteo's 10:48:00	10	A. Than were giving me a hard time. 10:50:27
11	leadership?	11	Q. Were there many more people at BlackBerry
12	A. No.	12	who you got along well with than you had disputes
13	MR. LAVOIE: Let's introduce Exhibit 2, which	13	with at work?
14	is going to be Tab 26.	14	A. I said than were giving me a hard time.
15	(Deposition Exhibit 2 was marked.) 10:48:11	15	Q. So my question is different. 10:50:41
16	MS. BOURN: Exhibit 2 is Bates labeled	16	My question is, were there more people who
17	MR. LAVOIE: No, Maria, you're not going to eat	17	
18	time on the record by reading into the record like	18	disputes with at BlackBerry?
19	Bates number and confidentiality designations.	19	MS. BOURN: Vague and ambiguous as to time
20	That's not a proper thing to eat up time with. 10:48:40	20	
21	MS. BOURN: Exhibit 2 is 1547 dated February 4,	21	MR. LAVOIE: That's a speaking objection. You
	2022.	22	
23	MR. LAVOIE: Maria, I'm just going to tell you,	23	employment." That suggests an answer to the
24	at the end of this deposition, we're going to make	24	witness. That is a speaking objection. That is
25	an evaluation as to whether Ms. Sandhu needs to come 10:48:54 Page 22	25	implicitly coaching your witness. I'm going to ask 10:51:02 Page 24
1	back for more testimony. So any time that you're 10:48:57	1	you not to do that again. 10:51:05
2	eating up with frivolous statements on the record	2	MS. BOURN: Defense yet again is pointing at me
3	we're going to point out to the Court.	3	and raising his voice. And we are now less than 20
4	BY MR. LAVOIE:	4	minutes into the deposition that has become
5	Q. So this is a text exchange that you 10:49:05	5	extraordinarily argumentative and, quite frankly, to 10:51:15
6	produced in discovery.	6	the point if it continues to be abusive, I'll end
7	Do you see this document?	7	the deposition and seek a protective order.
8	A. Yes.	8	MR. LAVOIE: Yeah, Maria, the record and the
9	Q. Who is Bina, B-i-n-a?	9	video tape will speak for itself. And I'll just
10	A. Bina, my sister. 10:49:15	10	point out for the record that I'm not pointing at 10:51:28
11	Q. Your sister, okay.	11	you. So I'll ask that you not represent things that
12	And you write to your sister on	12	are going on in the room that are not on the camera.
13	February 4th, and these are just the very top lines	13	I'm not pointing at you and I'll be happy to supply
14	here, "On a separate topic, I was speaking with a	14	a declaration to the Court that says that.
15	colleague who I get on well with (there are some!). 10:49:27	15	MS. BOURN: I will take a photo of the next 10:51:38
16	Like a work friend."	16	time you do it.
17	Do you see that?	17	MR. LAVOIE: Okay. That sounds great.
18	A. Yes.	18	BY MR. LAVOIE:
19	Q. Why did you say "there are some,"	19	Q. So Ms. Sandhu, my question was, were there
20	exclamation point? 10:49:38	20	more employees at BlackBerry who you got along well 10:51:46
21	A. Because I don't generally talk about work	21	with than there were employees who you had disputes
22	outside of work, particularly having been the chief	22	with at BlackBerry?
	of staff, there are confidentiality requirements	23	A. There were more employees I can't
23			
23 24	that I consider. But if there was an instance where	24	answer your question because the word "dispute"

1	perspective. It was harassment that I faced and 10:52:02	1	title? 10:54:29
2	gender discrimination.	2	A. That's not how that is not how I would
3	Q. So you say you were speaking with a	3	represent it.
4	colleague who you get on well with, "there are	4	Q. You asked for the title of chief customer
5	some." 10:52:13	5	officer even though you didn't think you deserved 10:54:40
6	A. Correct.	6	it?
7	Q. So you're implying to your sister here	7	A. That's not what I said.
8	that there aren't a lot that her impression up to	8	Q. No, that's my question.
9	this point would be that there weren't very many	9	So you just testified you asked for the
10	employees that you got along well with at work; 10:52:22	10	title of chief customer officer, but you also just 10:54:47
11	correct?	11	testified you didn't think you deserved that title?
12	MS. BOURN: Calls for speculation.	12	MS. BOURN: No question pending.
13	THE WITNESS: That's not correct.	13	BY MR. LAVOIE:
14	BY MR. LAVOIE:	14	Q. So my question is, did you think you
15	Q. Okay. What was your formal title at the 10:52:34	15	deserved the title of chief customer officer? 10:55:00
16	time you were terminated at BlackBerry?	16	A. The question isn't one you can answer in a
17	A. If I recall it correctly, it was chief	17	yes-or-no way.
18	marketing officer and chief elite customer success	18	Q. You don't think you can answer one way or
19	officer, if I recall it correctly.	19	another whether you thought you deserved the title
20	Q. And what was your title immediately before 10:52:57	20	of chief customer officer? 10:55:14
21	when you held that title?	21	MS. BOURN: Asked and answered twice now.
22	A. Gosh. I'll try to remember. It had chief	22	BY MR. LAVOIE:
23	elite customer success officer in it. I believe it	23	Q. You don't think that you can answer the
24	had SVP sustainability as well and the business	24	question as to whether you deserved the title of
	operations that the chief of staff role. I don't 10:53:17		chief customer officer? 10:55:26
	Page 26		Page 28
1	remember exactly. 10:53:19	1	A. The role was a chief customer officer role 10:55:27
2	Q. How long did you serve as BlackBerry's	2	and I was told by John Chen that, while he agreed
3	chief marketing officer?	3	with that, he couldn't make that the title because
4	A. I think I was it was announced the role	4	John Giamatteo would get upset.
5	was in June of 2023, I think. 10:53:33	5	Q. So you asked to be given the title of 10:55:40
6	Q. So my question was, how long did you serve	6	chief customer officer and BlackBerry declined?
7	as BlackBerry's chief marketing officer?	7	A. Because John Giamatteo would be upset.
8	A. So June through when I got fired. I guess	8	Q. So you asked for the title of chief
	six months.	9	customer officer and BlackBerry declined; is that
10	Q. From June or July of 2023 through December 10:53:53		correct? 10:55:52
	of 2023?	11	A. Because John Giamatteo would be upset.
12	A. I got fired in December, yes.	12	Q. I'm not asking for why. I'm asking, they
13	Q. So you were BlackBerry's chief marketing	13	declined your question or granted your request. So
	officer from June or July 2023 through	14	you asked to be chief customer officer.
	December 2023? 10:54:07	15	Did BlackBerry say yes to that request or 10:56:04
16	MS. BOURN: Asked and answered.	16	did they decline that request?
17	THE WITNESS: Yes.	17	A. They declined it because John Giamatteo
_	BY MR. LAVOIE:	18	would be upset.
19	Q. Was your title at BlackBerry ever chief	19	Q. How many times while you were at
20	customer officer? 10:54:19	20	BlackBerry were you promoted by John Chen? 10:56:13
21	A. Not officially. I had asked for it a	21	A. A number of times. I couldn't count off
	number of times though.	22	the top of my head.
23	Q. So it wasn't your title at any point?	23	Q. Best estimate, more than 10 or fewer than
24	A. Correct.	24	Q. Dest estimate, more than 10 or fewer than 10?
25	Q. But you thought that you deserved that 10:54:26	25	A. I was promoted throughout my career at 10:56:23
23	Page 27	23	Page 29
			6

1	BlackBerry a number of times. 10:56:26	1	BlackBerry that could read those messages if they 10:58:34
2	Q. That's not my question.	2	wanted to? That was your understanding?
3	My question is, is it your best estimate	3	A. That was my understanding.
4	that you were promoted by John Chen more than 10	4	Q. And what's that understanding based on?
5	times or fewer than 10 times? 10:56:32	5	A. Based on the fact that it's an enterprise 10:58:43
6	MS. BOURN: Asked and answered.		tool and so it is managed and distributed by IT
7	THE WITNESS: I would have to actually write		admins.
	out and count the answer. I don't know.	8	O. One of the BBMe features advertised to
9	BY MR. LAVOIE:	9	BlackBerry customers that you sold the product to
			•
0		10	, , , , , , , , , , , , , , , , , , , ,
1	giving a best estimate as to whether you were	11	MS. BOURN: Vague and ambiguous as to time.
2	promoted by Chen more or fewer than 10 times?	12	THE WITNESS: From having sent them just
3	A. It was a number of times. I don't know if	13	like you can undo recall an e-mail, yes, you can
	it was more than 10 or less than 10, but it was a	14	retract a message, but it doesn't take it out of the
5	number of times. 10:56:55	15	server which the IT admin has assess to. 10:59:12
6	Q. Were you promoted my John Chen more or	16	BY MR. LAVOIE:
7	fewer than five times?	17	Q. That's not my question.
8	A. Gosh let's see. So when I started	18	I said one of the features that BlackBerry
9	to work for him, I was promoted to director. I got	19	advertised to its customers for BBMe
0	to senior director. VP definitely obviously. There 10:57:11	20	THE REPORTER: Can you start over? 10:59:16
1	was an expansion of scope, SVP yes, I would say	21	BY MR. LAVOIE:
2	yes.	22	Q. So my question was
3	Q. More than five times John Chen promoted	23	MS. BOURN: Just a second. Can we stop? I
4	you?	24	need to get the real-time. Your questions are so
25	A. I mean, I couldn't say definitively but it 10:57:29	25	long and convoluted. 10:59:24
	Page 30		Page 3
	1450 30		Page :
1	was a number of times. 10:57:32	1	<u>-</u>
1 2		1 2	
2	was a number of times. 10:57:32		MR. LAVOIE: Okay. Let's go off the record. 10:59:26
	was a number of times. 10:57:32  Q. Was it more or fewer than five?	2	MR. LAVOIE: Okay. Let's go off the record. 10:59:26 MS. BOURN: Can I get the real-time?
2 3 4	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good	2 3	MR. LAVOIE: Okay. Let's go off the record. 10:59:20 MS. BOURN: Can I get the real-time? THE VIDEOGRAPHER: Going off the record. The
2 3 4 5	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good estimate. I don't know.	2 3 4	MR. LAVOIE: Okay. Let's go off the record. 10:59:20 MS. BOURN: Can I get the real-time? THE VIDEOGRAPHER: Going off the record. The time is 10:59 a.m.
2 3 4 5 6	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good estimate. I don't know.  Q. You sold the BBMe product to elite 10:57:39	2 3 4 5 6	MR. LAVOIE: Okay. Let's go off the record. 10:59:26  MS. BOURN: Can I get the real-time?  THE VIDEOGRAPHER: Going off the record. The time is 10:59 a.m.  (Discussion off the record.) 10:59:35
2 3 4 5 6	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good estimate. I don't know.  Q. You sold the BBMe product to elite 10:57:39  BlackBerry customers; correct?  A. Correct.	2 3 4 5 6	MR. LAVOIE: Okay. Let's go off the record. 10:59:20 MS. BOURN: Can I get the real-time? THE VIDEOGRAPHER: Going off the record. The time is 10:59 a.m. (Discussion off the record.) 10:59:35 THE VIDEOGRAPHER: Going back on the record.
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2 3 4 5 6 7 8 9	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good estimate. I don't know.  Q. You sold the BBMe product to elite 10:57:39  BlackBerry customers; correct?  A. Correct.  Q. And one of the BBMe features advertised to customers was that it kept messages secure; correct?  A. Correct.  10:57:51	2 3 4 5 6 7 8 9	MR. LAVOIE: Okay. Let's go off the record. 10:59:20 MS. BOURN: Can I get the real-time? THE VIDEOGRAPHER: Going off the record. The time is 10:59 a.m. (Discussion off the record.) 10:59:35 THE VIDEOGRAPHER: Going back on the record. The time is 11:01 a.m. BY MR. LAVOIE: Q. One of the features of BBMe that BlackBerry advertised to its customers was the 11:01:54
2 3 4 5 6 7 8 9 0	was a number of times.  Q. Was it more or fewer than five?  A. I don't know. Five might be a good estimate. I don't know.  Q. You sold the BBMe product to elite 10:57:39  BlackBerry customers; correct?  A. Correct.  Q. And one of the BBMe features advertised to customers was that it kept messages secure; correct?  A. Correct. 10:57:51  Q. BBMe messages were end-to-end encrypted;	2 3 4 5 6 7 8 9 10	MR. LAVOIE: Okay. Let's go off the record. 10:59:20 MS. BOURN: Can I get the real-time? THE VIDEOGRAPHER: Going off the record. The time is 10:59 a.m.  (Discussion off the record.) 10:59:35 THE VIDEOGRAPHER: Going back on the record. The time is 11:01 a.m. BY MR. LAVOIE: Q. One of the features of BBMe that BlackBerry advertised to its customers was the ability to retract messages; correct?
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1  Q. Was he one of the biggest advocates?  A. He was someone I learned a lot from, I  3 would say.  Q. Was John Chen did you perceive him as  5 one of your biggest advocates at the company?  A. When you say "advocate," what do you mean?  Q. You just used the term. You said he was  8 one of your advocates.  9  So what do you mean by that term?  10  A. Someone who supports your career, wants to  11 teach you, wants you to grow. That's how I see it.  12  Q. And he was a person like that to you?  13  A. Yes.  14  Q. Do you believe that John Chen was  15 prejudiced against you because of your race or  16 gender?  17  A. No.  18  Q. Based on your experiences with John Chen,  19  have you seen any evidence that he is sexist?  20  MS. BOURN: Vague and ambiguous as to time,  21 calls for speculation.  22 THE WITNESS: I experienced a lot of gender  23 discrimination at the company, and I don't think it  24 was dealt with appropriately. I don't know the  25 motivation behind that so  11:02:30  Page 34  1 of whether, over the course of 10 years of working  2 with John Chen, whether you saw any indication that  3 he was sexist?  4  MS. BOURN: Calls for a legal conclusion.  5 THE WITNESS: I'm saying I don't know how to answer the question in the way you're trying to get one to. That's what I'm saying.  8 BY MR. LAVOIE:  9  Q. It's not on you to try to intuit like how  11:02:53  10 I'm trying to get you to answer a question. I'm  11 just asking a question.  12  You worked with John Chen for 10 years.  13 During that time, did you see any indication that he limself was sexist, yes or no?  15 MS. BOURN: Calls for speculation, calls for a legal conclusion.  17 THE WITNESS: No, I'm not trying to intuit who you're expecting me to say, but I feel like I've  19 answered the question.  11:03:17  20 BY MR. LAVOIE:  11:02:45  MS. BOURN: Calls for a legal conclusion.  11:03:17  21 Q. You haven't so I'm going to ask it again.  22 During your 10 years of working and interacting with the John Chen, did you see any indication that	11:04 11:04:43 11:04:54
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25 motivation behind that so 11:03:30 25 MS. BOURN: Calls for a legal conclusion.	
	11.05.15
	11:05:15 Page 3
1 BY MR. LAVOIE: 11:03:33 1 THE WITNESS: I don't know how to answer it	11:05:
2 Q. Just to be clear as to your testimony, are 2 other than when I was at the company, I faced gender	er
3 you saying that because you perceive that you 3 discrimination and I don't think it was dealt with	
4 experienced gender discrimination, that you 4 appropriately.	
1	5:26
6 sexist? Is that your testimony? 6 Q. And so that was an indication to you that	
7 A. That is not my testimony. 7 John Chen himself was sexist or no?	
8 Q. So then I'll go back to my question. 8 A. There could be different reasons for that,	
9 Based on your experiences with John Chen, 9 so I don't know.	
10 have you seen any evidence that John Chen is sexist? 11:03:50 10 Q. So you have no you have no opinion,	11:05:36
MS. BOURN: Vague and ambiguous as to time, 11 based on 10 years of working with him, as to wheth	er
12 calls for speculation. 12 John Chen is sexist or not?	
THE WITNESS: I don't know. I don't know if I  A. He supported me and I learned a lot from	
14 see him as sexist or not. But I know that I've 14 him; but at the same time, there was gender	
15 faced a lot of gender discrimination in the company. 11:04:03 15 discrimination that wasn't dealt with appropriately	11:05:52
16 BY MR. LAVOIE: 16 in the company. That's how I see it. I haven't, in	
Q. So my question is different. 17 my mind, made a conclusion based on what his	
8 I'm saying, during your interactions with 18 motivation was.	
19 him over a period of 10 years, did you see any  Q. So based on your experience with him, John	
20 evidence that John Chen is sexist? 11:04:12 20 Chen might be sexist or he might not be?	11:06:05
21 MS. BOURN: Calls for a legal conclusion.  21 MS. BOURN: Calls for speculation, asked and	
22 THE WITNESS: I don't know how to answer that 22 answered.	
23 question in the way that you're asking me to. 24 BY MR. LAVOIE: 25 THE WITNESS: I don't know. I really don't 24 know.	o <u>6:16</u>

	Q. You don't know whether he might be sexist 11:06:16	1	What explicit racism did you face? 11:08:22
2	or not based on your experiences with him?	2	A. So an example is there's a male, a white
3	MS. BOURN: Asked and answered about four	3	male, colleague, and he was
4	times.	4	making my life he was harassing me, I would say
5	THE WITNESS: I don't know. 11:06:24	5	as well, in the workplace. And it was reported by 11:08:40
6	BY MR. LAVOIE:	6	other employees is my understanding. And I remember
7	Q. You don't know whether he's sexist, okay.	7	having a call with him and him telling me there was
8	Based on your experiences with John Chen,	8	too many people of color and black people in the
9	have you seen any indication that he's racist?	9	company. And it was investigated and he admitted
10	MS. BOURN: Calls for a legal conclusion. 11:06:37	10	saying it and he was terminated based on that. 11:09:02
11	THE WITNESS: I didn't face racism from him;	11	Q. When he said this to you, did you
12	and when I did face racism in the company, which was	12	understand it to be an implication that there were
13	explicit, it was dealt with appropriately.	13	too many people of color in the company and that
14	BY MR. LAVOIE:	14	included you, that you shouldn't be in the company?
15	Q. So have you seen any evidence that John 11:06:52	15	A. Correct. As he had told people he had 11:09:15
16	Chen sorry, strike that.	16	made there had been a number of surrounding
17	During your 10 years of experiences with	17	experiences that made it clear to me that he did not
18	John Chen, did you ever see any indication that John	18	like having me in the company and it was so apparent
19	Chen preferred employees of one race over employees	19	that others complained about it, to my
20	of another race? 11:07:07	20	understanding, to HR. And then when it was 11:09:36
21	MS. BOURN: Calls for speculation, calls for a	21	investigated, I raised the comment that he had made
22	legal conclusion.	22	to me and he admitted saying it.
23	THE WITNESS: Not something that I have thought	23	Q. So when BlackBerry investigated it, you
24	about. All I know is that when I faced racism and	24	told the BlackBerry investigators that he had said
25	it was explicit and there was it was 11:07:20 Page 38	25	there are too many people of color and too many 11:09:52 Page 40
1	investigated, it was dealt with effectively from my 11:07:23	1	black people at the company? You told the 11:09:57
2	perspective.	2	BlackBerry investigators that?
3	MR. LAVOIE: So I'll move to strike that answer	3	A. Correct.
4	as nonresponsive.	4	Q. I'll represent to you that based on public
5	BY MR. LAVOIE: 11:07:32	5	announcements and internal company documents that 11:10:03
			announcements and internal company documents that 11.10.05
6	Q. My question again was, based on your		
		6	John Giamatteo joined BlackBerry on October 4th, 2021.
7	experiences with him over 10 years, did you see any	6 7	John Giamatteo joined BlackBerry on October 4th, 2021.
7	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one	6	John Giamatteo joined BlackBerry on October 4th,
7 8	experiences with him over 10 years, did you see any	6 7 8	John Giamatteo joined BlackBerry on October 4th, 2021.  Do you have any reason to dispute that?
7 8 9 10	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not?  11:07:41	6 7 8 9 10	John Giamatteo joined BlackBerry on October 4th, 2021.  Do you have any reason to dispute that?  A. No.  Q. Your office with BlackBerry, your physical 11:10:12
7 8 9	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not? 11:07:41  A. I mean as I would say no I guess. I	6 7 8 9	John Giamatteo joined BlackBerry on October 4th, 2021.  Do you have any reason to dispute that?  A. No.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not? 11:07:41  A. I mean as I would say no I guess. I don't know. I can't speak for him so I don't know.  Q. No, I'm not asking you to speak for him.  I'm asking you to speak to yourself and your own observations. So I'll ask the question again. 11:07:58  During your 10 years of working with him, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see indications of that yourself or did you not? 11:08:11  MS. BOURN: Argumentative.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	John Giamatteo joined BlackBerry on October 4th,  2021.  Do you have any reason to dispute that?  A. No.  Q. Your office with BlackBerry, your physical 11:10:12  office, was in San Ramon, California; right?  A. Yes.  Q. John Giamatteo's physical office was in  Texas; correct?  A. I don't know if it was Texas or New York, 11:10:22  but it was not in San Ramon. He did have an office in San Ramon with his name on it, but I believe his like home address was elsewhere.  Q. You didn't see John Giamatteo during the time that you overlapped with John Giamatteo at 11:10:38  the company which was approximately two years;
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not?  A. I mean as I would say no I guess. I don't know. I can't speak for him so I don't know.  Q. No, I'm not asking you to speak for him.  I'm asking you to speak to yourself and your own observations. So I'll ask the question again.  11:07:58  During your 10 years of working with him, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see indications of that yourself or did you not?  11:08:11  MS. BOURN: Argumentative.  THE WITNESS: No.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	John Giamatteo joined BlackBerry on October 4th,  2021.  Do you have any reason to dispute that?  A. No.  Q. Your office with BlackBerry, your physical office, was in San Ramon, California; right?  A. Yes.  Q. John Giamatteo's physical office was in  Texas; correct?  A. I don't know if it was Texas or New York, 11:10:22  but it was not in San Ramon. He did have an office in San Ramon with his name on it, but I believe his like home address was elsewhere.  Q. You didn't see John Giamatteo during the time that you overlapped with John Giamatteo at 11:10:38  the company which was approximately two years; right? October 2021 until you were let go in
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not?  A. I mean as I would say no I guess. I don't know. I can't speak for him so I don't know.  Q. No, I'm not asking you to speak for him.  I'm asking you to speak to yourself and your own observations. So I'll ask the question again.  During your 10 years of working with him, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see indications of that yourself or did you not?  11:08:11  MS. BOURN: Argumentative.  THE WITNESS: No.  BY MR. LAVOIE:	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	John Giamatteo joined BlackBerry on October 4th,  2021.  Do you have any reason to dispute that?  A. No.  Q. Your office with BlackBerry, your physical  office, was in San Ramon, California; right?  A. Yes.  Q. John Giamatteo's physical office was in  Texas; correct?  A. I don't know if it was Texas or New York,  but it was not in San Ramon. He did have an office in San Ramon with his name on it, but I believe his like home address was elsewhere.  Q. You didn't see John Giamatteo during the time that you overlapped with John Giamatteo at the company which was approximately two years; right? October 2021 until you were let go in December of 2023?
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	experiences with him over 10 years, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see any indication of that or did you not?  A. I mean as I would say no I guess. I don't know. I can't speak for him so I don't know.  Q. No, I'm not asking you to speak for him.  I'm asking you to speak to yourself and your own observations. So I'll ask the question again.  11:07:58  During your 10 years of working with him, did you see any indication that John Chen preferred employees of one race over employees of another race? Did you see indications of that yourself or did you not?  11:08:11  MS. BOURN: Argumentative.  THE WITNESS: No.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	John Giamatteo joined BlackBerry on October 4th,  2021.  Do you have any reason to dispute that?  A. No.  Q. Your office with BlackBerry, your physical 11:10:12  office, was in San Ramon, California; right?  A. Yes.  Q. John Giamatteo's physical office was in  Texas; correct?  A. I don't know if it was Texas or New York, 11:10:22  but it was not in San Ramon. He did have an office in San Ramon with his name on it, but I believe his like home address was elsewhere.  Q. You didn't see John Giamatteo during the time that you overlapped with John Giamatteo at 11:10:38  the company which was approximately two years; right? October 2021 until you were let go in

	years. And during that time, you didn't see him in	11:10:51	1	groups? 11:13:18
	person on a daily basis; correct?	11.10.51	2	A. A mix.
3	A. Correct.		3	Q. Were you on group conference calls with
4	Q. You didn't see him in person on a weekly		4	John Giamatteo closer to once a week, once a month,
	basis; correct? 11:11:01		5	once a quarter?
	A. Definitely not every week, no.		6	A. Once a quarter possibly, yeah.
6				
7	Q. Did you see John Giamatteo in person most		7	Q. Were you on group video conferences with
	weeks during the two-plus years that you worked		8	John Giamatteo closer to once a week, once a month
	together?	11 11 1	9	or once a quarter?
10	MS. BOURN: Vague and ambiguous as to "see."	11:11:1		A. I would say the same, once a quarter. 11:13:44
11	THE WITNESS: You mean in person or virtually		11	Q. Were there ever weeks at BlackBerry where
12	or what's the definition?		12	you didn't have any communication with John
	BY MR. LAVOIE:		13	Giamatteo at all in any medium?
14	Q. My literal question was, did you see John		14	A. I don't know for sure, but I would guess
15	Giamatteo in person most weeks during the two-plus	11:11:26		
16	years that you worked together?		16	Q. So you think that you had at least one
17	A. In person most weeks? No, I would not say		17	communication with him in some medium roughly every
18	most weeks.		18	week?
19	Q. Were there ever months at BlackBerry where		19	A. I really wouldn't know how to answer that
20	you did not see John Giamatteo in person?	11:11:39	20	question. I don't know.
21	A. I mean, I used to travel yeah,		21	MS. BOURN: Don't speculate.
22	probably, yes, probably.		22	BY MR. LAVOIE:
23	Q. Did you see Mr. Giamatteo in person on		23	Q. Yeah. So your counsel is telling you not
24	average closer to once a month, once a quarter, or		24	to speculate in response to my question.
25	once a year? 11:11:59	Page 42	25	My question is just your best estimate, 11:14:24 Page 44
1	A. Somewhere between once a month and once a	11:12:04	1 1	were there weeks at BlackBerry where is it your 11:14:27
	quarter, not as sparse as once a year.		Ī	testimony that roughly at least once a week at
3	Q. Did you have one-on-one phone calls with			
	(·)		3	BlackBerry you had some form of communication with
-	John Giamatteo on a daily basis during the time that			BlackBerry you had some form of communication with  John Giamatteo? Is that your testimony?
	John Giamatteo on a daily basis during the time that	1.12.18	4	John Giamatteo? Is that your testimony?
5	you overlapped with the company?	1:12:18	4 5	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41
5 6	you overlapped with the company? 1  A. Not on a daily basis.	1:12:18	4 5 6	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how
5 6 7	you overlapped with the company? 1  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week	1:12:18	4 5 6 7	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to
5 6 7 8	you overlapped with the company? 1  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week one-on-one by phone?	1:12:18	4 5 6 7 8	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to answer that question.
5 6 7 8 9	you overlapped with the company?  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week one-on-one by phone?  A. I mean, occasionally I had asked him		4 5 6 7 8 9	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to answer that question.  Q. During the time that you overlapped at
5 6 7 8 9 10	you overlapped with the company?  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week one-on-one by phone?  A. I mean, occasionally I had asked him for a one-on-one and he took it offensively so that	1:12:18	4 5 6 7 8 9 10	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to answer that question.  Q. During the time that you overlapped at BlackBerry I'm talking about the entirety of the 11:14:57
5 6 7 8 9 10 11	you overlapped with the company?  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week one-on-one by phone?  A. I mean, occasionally I had asked him for a one-on-one and he took it offensively so that was not set up.		4 5 6 7 8 9 10 11	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to answer that question.  Q. During the time that you overlapped at BlackBerry I'm talking about the entirety of the 11:14:57 time was John Giamatteo a higher-ranked executive
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	you overlapped with the company?  A. Not on a daily basis.  Q. Did you talk to John Giamatteo once a week one-on-one by phone?  A. I mean, occasionally I had asked him for a one-on-one and he took it offensively so that was not set up.  Q. So my question was different.  Just factually speaking, did you talk to John Giamatteo by phone one-on-one once a week whyou overlapped?  11:12:47  A. No, because he thought it was offensive that he would need to speak with me one-on-one because he did not see me as an equal.  Q. Did you talk one-on-one on the phone with John Giamatteo closer to once a month, once a quarter, or once a year, one-on-one by phone?  A. Once a quarter maybe.  Q. And in terms of your in-person	11:12:32 nile	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	John Giamatteo? Is that your testimony?  A. I really don't know. I mean, it was it 11:14:41 was we were working together. I don't know how often, if it was weekly I don't know how to answer that question.  Q. During the time that you overlapped at BlackBerry I'm talking about the entirety of the 11:14:57 time was John Giamatteo a higher-ranked executive within the organization as compared to you?  MS. BOURN: Calls for speculation.  THE WITNESS: We all reported to the CEO. I don't know what his grading was. 11:15:11 BY MR. LAVOIE:  Q. What do you mean you don't know what his grading was?  A. I don't know what grade he was in his contract. I have no idea. 11:15:18  Q. John Giamatteo was the president of BlackBerry's cybersecurity division; correct?  A. Correct.
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1 titles that you held d		11:15:31	1	MS. BOURN: Calls for speculation. 11:17:26
2 overlapped with him			2	THE WITNESS: I mean, the fact that I got
•	one who was a direct report of		3	fired I mean, I you're shaking.
4 the CEO as an execu			4	Does it mean I shouldn't answer?
	y question, who is an	11:15:41	5	BY MR. LAVOIE: 11:17:39
	nber and who is not. So I'll ask		6	Q. No. I'm just saying this continues to be
7 my question again.			7	nonresponsive to my questions.
8 Would you co	onsider John Giamatteo's title		8	I'm asking, did John Giamatteo ever have
9 of president to be of	higher status within the		9	decision-making authority over your job
10 organization than the	e titles you held during the	11:15:49	10	responsibilities? That's just a yes-or-no question. 11:17:46
11 time you overlapped	l with him, yes or no?		11	MS. BOURN: Calls for speculation.
12 A. No. I would	see everybody as being equal		12	THE WITNESS: The fact that I got fired because
13 on the team.			13	he would not sign his CEO contract unless I was
14 Q. So you don't	think that someone who had a		14	fired, that makes in my opinion, that is
15 president title within	n the organization had a higher	11:16:03	15	decision-making power. 11:18:01
16 status in the organiza	ation than someone with your		16	BY MR. LAVOIE:
17 title?			17	Q. Okay. What facts do you know that lead
18 MS. BOURN: A	sked and answered.		18	you to that conclusion? It's your belief that John
19 THE WITNESS:	No, I don't.		19	Giamatteo communicated at some point that I will not
20 BY MR. LAVOIE:	11:	:16:15	20	sign my CEO contract unless you fire Neelam Sandhu. 11:18:11
Q. Did John Gia	amatteo ever have		21	That's your understanding?
_	wer over whether you were		22	A. Correct.
23 promoted, yes or no	•		23	Q. Okay. what's your basis for that
	Calls for speculation.		24	understanding?
THE WITNESS:	*	1:16:25	25	A. I was told that. 11:18:18
20 1112 ((111(255)	1.	Page 46		Page 4
1 BY MR. LAVOIE:	11:16:25		1	Q. By whom? 11:18:20
1 BY MR. LAVOIE: 2 Q. Did John Giama			1 2	Q. By whom? 11:18:20  A. By people who had heard it from his own
Q. Did John Giama				
Q. Did John Giama	over the scope of your job		2	A. By people who had heard it from his own
<ul><li>Q. Did John Giama</li><li>decision-making power</li></ul>	atteo ever have over the scope of your job no?	5:33	2 3 4	A. By people who had heard it from his own team in the company. As well, I was fired I think,
<ul> <li>Q. Did John Giama</li> <li>decision-making power</li> <li>responsibilities, yes or r</li> <li>MS. BOURN: Calls</li> </ul>	atteo ever have over the scope of your job no?	5:33	2 3 4 5	A. By people who had heard it from his own team in the company. As well, I was fired I think, what, 24 to 48 hours before he signed his contract.
<ul> <li>Q. Did John Giama</li> <li>decision-making power</li> <li>responsibilities, yes or r</li> <li>MS. BOURN: Calls</li> </ul>	titeo ever have over the scope of your job no? s for speculation. 11:16	i:33	2 3 4 5 6	A. By people who had heard it from his own team in the company. As well, I was fired I think, what, 24 to 48 hours before he signed his contract. As well Dick Lynch was he announced my exit from  11:18:34
<ul> <li>Q. Did John Giama</li> <li>decision-making power</li> <li>responsibilities, yes or r</li> <li>MS. BOURN: Calls</li> <li>THE WITNESS: He</li> </ul>	titeo ever have over the scope of your job no? s for speculation. 11:16	5:33	2 3 4 5 6 7	A. By people who had heard it from his own team in the company. As well, I was fired I think, what, 24 to 48 hours before he signed his contract. As well Dick Lynch was he announced my exit from the company prior to John Giamatteo being announced. So the sequence of events was very clear to me.
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Q. Did John Giama decision-making power responsibilities, yes or r MS. BOURN: Calls THE WITNESS: He officially, no. BY MR. LAVOIE: Q. So the answer to	to the scope of your job no? It for speculation. It is for speculation. It is the tried to but he did not to that question is, John		2 3 4 5 6 7 8	A. By people who had heard it from his own team in the company. As well, I was fired I think, what, 24 to 48 hours before he signed his contract. As well Dick Lynch was he announced my exit from 11:18:34 the company prior to John Giamatteo being announced. So the sequence of events was very clear to me. Q. Okay. So you testified just then that the sequence of events leads you to this belief.
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1 customer officer team? 11:19:34	1	best of your recollection, you cannot conjure a 11:21:50
2 A. Within my org.	2	single name of someone who told you this? Is that
3 Q. You heard from an employee within your	3	your testimony?
4 organization that they had learned from an employee,	4	A. My sworn testimony is what I said, which
5 Kevin Easterwood, in John Giamatteo's organization, 11:19:42	5	is there were a lot of people who said it to me, so 11:21:59
6 that John Giamatteo had communicated that he would	6	you are welcome to go and ask those people who used
7 not sign his CEO agreement unless you were fired?	7	to be in my organization.
8 That's your testimony?	8	Q. I'm not asking them. I'm asking you
9 A. That's one example, yes. There were the	9	because you're testifying that you were told this
10 others as well but, yes, that's what I had heard. 11:19:53	10	and I'm asking, can you name a single individual by 11:22:11
11 Q. So is there in terms of people telling	11	name who told you this?
12 you things about the source of information, is there	12	MS. BOURN: Please don't raise your voice at
13 any source of information of that that you got from	13	the witness. It's inappropriate.
14 anybody from anyone other than Kevin Easterwood	14	THE WITNESS: There was a number of people. I
15 being the ultimate source? 11:20:11	15	don't remember who specifically. 11:22:23
16 A. I had heard it from other people. It was	16	BY MR. LAVOIE:
17 not my understanding is it was not a secret he	17	Q. It was a number of people, but you can't
18 was keeping. He was very vocal about it. And as I	18	name a single one?
19 said, I was fired 24 to 48 hours before he signed	19	A. Not specifically and with clarity so I
20 his contract, and I was pushed to, and pressured to 11:20:28	20	wouldn't want to would want to answer another 11:22:32
21 say that I resigned. And they wanted to do that	21	way.
22 before they announced him and the dates	22	MS. BOURN: For the record, defense counsel is
Q. Again, so I'm not asking about the	23	making faces at plaintiff and shaking his hand.
24 circumstances, the timing, we can get into all that.	24	MR. LAVOIE: I do find this behavior pretty
25 But I'm asking you very specifically about where you 11:20:45 Page 50	25	clearly obstructionist and evasive. And the 11:22:41 Page 52
1 developed this understanding that he had 11:20:49	1	responses are not responsive. And so I am a bit 11:22:44
2 communicated this. John Giamatteo had said this.		incredulous at the approach of kind of tactical,
At any point did you speak to anyone who		calculated evasion. So I will acknowledge that I am
4 told you, "John Giamatteo told me that he would not		perplexed.
5 sign his CEO contract unless you were fired?" Did 11:21:01		BY MR. LAVOIE: 11:22:58
6 you speak to anyone who told you that?	6	Q. So Tim Foote never had decision-making
7 A. No.	7	authority over whether you were promoted; correct?
Q. And you have no recollection whatsoever as	8	MS. BOURN: Calls for speculation.
9 to which members of your organization who told you	9	THE WITNESS: He was not my direct manager and
10 this? You can't give me a single name? 11:21:19	10	he was more junior than me. 11:23:11
A. It's been 18 months. At this moment in		BY MR. LAVOIE:
12 time I don't recall.	12	Q. So my question was different. I'll move
Q. So your sworn testimony here today, your		to strike that answer as nonresponsive.
14 very best recollection, you're trying your best but	14	My question is simply this: Did Tim Foote
15 you can't conjure a single name of someone who told 11:21:33		
16 you this?		were promoted or not?
17 Is that your testimony?	17	MS. BOURN: Calls for speculation.
18 A. I would say you can ask various members	18	THE WITNESS: I mean, your questions are not
19 who used to be on my team. There were a lot of	19	
20 people who said it. I don't remember specifics. 11:21:44	20	•
21 There was a lot of people.	21	because I'm under oath. So he, like Giamatteo, had
22 MR. LAVOIE: I'll move to strike that answer as	22	influence. Whether others saw that as decision
23 nonresponsive.	23	influencing a decision, decision-making power, I
24 BY MR. LAVOIE:		don't know. But on paper, hierarchically, he was
Z. BI MIG DITTOID.		
Q. Your sworn testimony is that to the very 11:21:49		not my direct manager and in theory should not be 11:23:57

1			
1	making decisions about my career. 11:24:02	1	speculation. 11:25:59
2	BY MR. LAVOIE:	2	THE WITNESS: I see influence at that strong
3	Q. Did John Giamatteo ever have	3	level of influence as decision-making power or
4	decision-making authority, authority over your	4	whatever you want to call it. I do see it that way.
5	compensation? 11:24:07	5	BY MR. LAVOIE: 11:26:10
6	MS. BOURN: Vague and ambiguous, calls for	6	Q. Looking back over your final few years at
7	speculation.	7	BlackBerry, when did it first occur to you that you
8	THE WITNESS: Again, under oath, I would answer	8	might sue the company?
9	how give the answer I want to give, not what I	9	A. After I was fired in early 2024, sometime
10	feel where I'm being kind of led.	10	in 2024. 11:26:27
11	I felt and experienced that he had	11	Q. So prior to you having a conversation with
12	influence over my compensation and I was explicitly	12	Dick Lynch when he told you that you were being let
13	told by my direct manager, the CEO John Chen I'll	13	go, the thought never occurred to you that you might
14	give one example. When I was promoted to CMO, that	14	sue BlackBerry?
15	I was not being given a salary increase because 11:24:42	15	A. No. 11:26:39
16	Giamatteo would get upset.	16	Q. You've given sworn responses in this case
17	BY MR. LAVOIE:	17	that you reached out to your counsel's Miss Bourn's
18	Q. So I'm going to explain something. You	18	firm in mid-November, November 17th, 2023.
19	don't get to answer the question that you would like	19	A. Correct.
20	to answer that you wished I asked. You have to 11:24:53	20	Q. And you were not let go from BlackBerry 11:26:59
21	answer my question.	21	until early December of 2023; correct?
22	And so my question was, did John Giamatteo	22	A. December the fourth I was told I was
23	ever have decision-making authority over your	23	terminated.
24	compensation? And you can answer that question yes	24	Q. So between when you yourself reached out
25	or not but you have to answer that question. Did he 11:25:05 Page 54	25	to Ms. Bourn's firm on November 17th, 2023, and when 11:27:10 Page 56
1	have decision-making authority over your 11:25:07	1	you were told that you were being let go in December 11:27:17
	compensation or did he not?		of 2023, it never once occurred to you that you
3	MS. BOURN: Calls for speculation. Defense	3	might sue the company? That's your sworn testimony?
4	counsel is not a judge and won't will not tell	4	A. That is, yeah, it never occurred to me.
5	you how to answer it. You can answer as you need 11:25:16	5	Q. Let's look at what is tab B in my binder 11:27:33
6	to.	6	which I'll mark as Exhibit 3.
7	THE WITNESS: Thank you.	7	(Deposition Exhibit 3 was marked.)
8	I felt he did because I was told	8	MR. LAVOIE: And we will go to page 19 of this
9	explicitly that I was not being given a salary	9	document.
	explicitly that I was not being given a salary increase because he would be upset. 11:25:26	9	
			document.
10	increase because he would be upset. 11:25:26	10	document. BY MR. LAVOIE: 11:28:09
10 11	increase because he would be upset. 11:25:26 BY MR. LAVOIE:	10 11	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an
10 11 12 13	increase because he would be upset. 11:25:26 BY MR. LAVOIE: Q. Did Tim Foote ever have decision-making	10 11 12	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth
10 11 12 13	increase because he would be upset. 11:25:26 BY MR. LAVOIE: Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you	10 11 12 13 14	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write
10 11 12 13 14	increase because he would be upset. 11:25:26 BY MR. LAVOIE: Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?	10 11 12 13 14	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand
10 11 12 13 14 15	increase because he would be upset. 11:25:26 BY MR. LAVOIE: Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had? MS. BOURN: Calls for speculation. 11:25:36	10 11 12 13 14 15	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22
10 11 12 13 14 15 16	increase because he would be upset. 11:25:26 BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation. 11:25:36 THE WITNESS: Similar. His influence could at	10 11 12 13 14 15 16	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?
10 11 12 13 14 15 16 17	increase because he would be upset. 11:25:26 BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation. 11:25:36 THE WITNESS: Similar. His influence could at times be strong enough that it did affect the	10 11 12 13 14 15 16 17	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.
10 11 12 13 14 15 16 17 18	increase because he would be upset.  BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation.  THE WITNESS: Similar. His influence could at times be strong enough that it did affect the decisions that were made.	10 11 12 13 14 15 16 17 18	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.  Q. So underneath that it says, "Plaintiff
10 11 12 13 14 15 16 17 18 19	increase because he would be upset.  BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation.  THE WITNESS: Similar. His influence could at times be strong enough that it did affect the decisions that were made.  BY MR. LAVOIE:	10 11 12 13 14 15 16 17 18	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.  Q. So underneath that it says, "Plaintiff responds she first contacted the Gomerman Bourn law
10 11 12 13 14 15 16 17 18 19 20	increase because he would be upset.  BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation.  THE WITNESS: Similar. His influence could at times be strong enough that it did affect the decisions that were made.  BY MR. LAVOIE:  Q. I'm not asking whether it influenced a 11:25:46	10 11 12 13 14 15 16 17 18 19 20	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.  Q. So underneath that it says, "Plaintiff responds she first contacted the Gomerman Bourn law firm on November 17, 2023." 11:28:32
10 11 12 13 14 15 16 17 18 19 20 21	increase because he would be upset. 11:25:26 BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation. 11:25:36 THE WITNESS: Similar. His influence could at times be strong enough that it did affect the decisions that were made. BY MR. LAVOIE: Q. I'm not asking whether it influenced a 11:25:46 person who had decision-making authority.	10 11 12 13 14 15 16 17 18 19 20 21	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.  Q. So underneath that it says, "Plaintiff responds she first contacted the Gomerman Bourn law firm on November 17, 2023." 11:28:32  Do you see that?
10 11 12 13 14 15 16 17 18 19 20 21 22 23	increase because he would be upset.  BY MR. LAVOIE:  Q. Did Tim Foote ever have decision-making authority over the scope of responsibility that you had?  MS. BOURN: Calls for speculation.  THE WITNESS: Similar. His influence could at times be strong enough that it did affect the decisions that were made.  BY MR. LAVOIE:  Q. I'm not asking whether it influenced a 11:25:46 person who had decision-making authority.  I'm saying, did Tim Foote have	10 11 12 13 14 15 16 17 18 19 20 21 22	document.  BY MR. LAVOIE: 11:28:09  Q. So in the middle of page 19 there's an interrogatory response which you swore to the truth of under the penalty of perjury where you write and this is beginning on line 13 on the left-hand side. 11:28:22  Do you see the line 13?  A. Yes.  Q. So underneath that it says, "Plaintiff responds she first contacted the Gomerman Bourn law firm on November 17, 2023." 11:28:32  Do you see that?  A. Yes.

			T : 10
	John Chen of any kind in which either of you 12:10:55		United States? 12:13:15
	discussed the possibility of John Giamatteo taking	2	A. Not that I recall.
	over for him as CEO at some point?	3	Q. In communicating with him, did he ever
4	A. I recall John Chen mentioning that neither	4	comment to you on your physical appearance?
	Mattias nor Giamatteo's performance was there so he 12:11:10	5	A. He asked me if I was an Indian, that was 12:13:22
	didn't feel confident that they could be the next	6	the very first thing he said to me.
	CEO.	7	Q. Did he ask, "Are you an Indian," like
8	Q. So when John Chen discussed with you about	8	Native American, or Indian descent or heritage?
	the timing potentially drawing tight, what time	9	A. He didn't say the word "descent" as far as
	frame was that? 12:11:31		I recall, so my guess would be, "Are you Indian?" 12:13:36
11	A. I think it was early 2023, maybe into 2022	11	Q. So not, "Are you an Indian?"
12	as well, 2022, 2023.	12	A. I mean I guess not, no.
13	Q. So in that period it was John Chen	13	Q. Did he ever other than asking if you
	himself considered it possible that he might no	14	were strike that.
	longer be CEO at some point in 2023 or soon after? 12:11:49	15	Other than the comment that you just 12:13:50
16	MS. BOURN: Calls for speculation.	16	•
17	THE WITNESS: His contract term was five years	17	physical appearance?
18	so he wasn't sure if he was going to renew it.	18	A. Did he remark on my physical appearance?
	BY MR. LAVOIE:	19	Not specifically like a feature of something like
20	Q. And when did that contract expire 12:11:59	20	that. He made comments about how this is related 12:14:07
21	according to your understanding?	21	to the dinner that he and he went on which he
22	A. Sometime in November of 2023 I believe,	22	invited me to about how his daughters were a similar
23	·	23	age and when he's out for dinner with them and was
24	Q. So it was your understanding as	24	describing that, so that was the extent of it.
25	November 2023 approached that John Chen's contract 12:12:09 Page 86	25	Q. So I asked for whether he ever remarked on 12:14:26 Page 88
1	was up to expire; correct? 12:12:13	1	your physical appearance and your answer refers to 12:14:29
2	A. Yeah. He told me he was in discussions to	2	an allegation you've made about a joke that he made
3	renew it but that's all I knew.	3	about his daughters. So I'll just say your counsel
4	Q. You never wanted John Giamatteo to be your	4	is going to have an opportunity to ask you questions
5	boss; correct? 12:12:21	5	and you're going to have a chance to testify about 12:14:40
6	A. After he sexually harassed me and gender	6	whatever you want in response to your counsel's
7	discriminated against me, no.	7	question.
8	Q. And you had no respect for John Giamatteo,	8	My question was not whether he made a joke
9	did you?	9	about his daughters.
10	A. I mean somebody who sexually harassed you, 12:12:34	10	My question was, did John Giamatteo ever 12:14:50
11	it's hard to respect them.	11	make a remark to you about your physical appearance
12	Q. So the answer is no, you did not respect	12	other than the one that you've already described?
13	him; right?	13	MS. BOURN: Calls for speculation.
14	A. I did not respect him.	14	You can answer as you need to.
15	Q. In your communications with 12:12:43	15	THE WITNESS: To me, there's not an example I 12:15:0.
16	Mr. Giamatteo strike that.	16	could think of at this point.
17	Did you respect him as a professional in	17	BY MR. LAVOIE:
18	terms of his background and experience?	18	Q. Did he ever say that you were pretty or
19	A. I didn't think his results were there.	19	good-looking or anything to that effect?
20	Did I respect him as a professional? Wasn't really 12:12:57	20	A. Not with words, no. 12:15:15
21	my decision to make, so it wasn't something I	21	Q. What do you mean "not with words"?
22	focused on. I had a big job, busy job. That was my	22	A. His like his physical the things he
23	focus.	23	did showed me that he was interested in me, the
24	Q. In your communications with Mr. Giamatteo,	24	· · · · · · · · · · · · · · · · · · ·
25			there are other ways of saying it. 12:15:35
	Page 87		Page 89

1			think we're on Exhibit 4 now. 12:18:02
2		2	MS. BECK: Yes.
3		3	MR. LAVOIE: Sorry, Tab I. They look very
4		4	similar.
5		5	(Deposition Exhibit 4 was marked.) 12:18:37
6		6	BY MR. LAVOIE:
7		7	Q. So these are this is a single
8		8	interrogatory that your lawyer served on BlackBerry.
9			If you look at the second page, this is a written
10		10	question that came from your lawyers requiring an 12:18:4
11	kind of gender insult such as calling someone a	11	under-oath response from BlackBerry.
12		12	A. Okay.
13	•	13	Q. So on the second page your counsel served
14		14	a written question on BlackBerry that said, "Have
15		15	you or anyone acting on your behalf, conducted 12:19:01
16	, , , , , , , , , , , , , , , , , , ,	16	surveillance of Plaintiff?" That's you. And, "If
17	, 1	17	so, for each surveillance state," the details,
18		18	essentially.
19		19	Do you see that?
20		20	A. I see that. 12:19:19
21	Q. Have you ever heard you've testified	21	Q. Have you ever suspected that BlackBerry
22	3	22	might be conducting surveillance on you?
23		23	A. I thought I had thought, like, I
24		24	wouldn't put it past them. The harassment was so
25	A. Directly to me, he was definitely 12:16:46 Page 90	25	extreme. So it was something that I thought they  12:19:31  Page 9
1	definitely discriminated against me based on my 12:16:48	1	would do. 12:19:35
2	gender and making a comment to me after his early	2	Q. Did you ever see or observe any indication
3	behaviors where I was very clear that this was not	3	like someone following you or some online activity
4	going to fly with me. He was better like he	4	or something that you thought was suspicious or
5	didn't make those comments again in front of me, but 12:17:04	5	indicative of surveillance? 12:19:46
6	I have heard that he did it in front of other women.	6	A. No.
7	MR. LAVOIE: So I'll move to strike that as	7	Q. But you thought BlackBerry might, for
8	nonresponsive.	8	example, like, hire a private detective to trail you
9	BY MR. LAVOIE:	9	around town or something?
10	Q. So my very specific question was, have you 12:17:13	10	A. Their behavior in harassing and 12:19:56
11	ever had so strike that.	11	discriminating against me was so extreme, I want to
12	You've never had an interaction with John	12	say I wouldn't put anything past them.
13	Giamatteo where he made a remark that you perceived	13	Q. For the final few years you had at
14		14	BlackBerry, we've talked that you led the elite
15		15	customer success team. 12:20:12
16		16	I want to take you back to early 2021.
17	specifically, no.	17	John Giamatteo joins in October of 2021.
18	Q. Other than the comment that you described	18	Are you with me so far?
19	about asking whether you're Indian, did you ever	19	A. Yes.
20	hear John Giamatteo make any other remark regarding 12:17:46	20	Q. So before John Giamatteo started at 12:20:23
21	your race?	21	BlackBerry, and I believe you've referenced this
22		22	already in your testimony today, you made a
23	Q. Only one?	23	complaint about
24			correct?
25	MR. LAVOIE: Let's look at Tab No. 4 which I 12:17:59	25	A. I don't remember how I don't think I 12:20:38
	Page 91		Page 9

1	made the complaint. I don't recall exactly, but I	12:20:40	1	between the elite customer team and	12:23:01
2	think somebody made a complaint. A situation		2	as completely dysfunctional.	
3	arose I don't remember if I submitted a complaint		3	Did you agree with that?	
4	but I remember an investigation.		4	A. Completely dysfunctional? No, I think the	
5	Q. And Mr. Curiale led that investigation;	12:20:52	5	teams were collaborating on some things that they	12:23:16
6	correct?		6	needed to collaborate on.	
7	A. I believe so. I don't know if he was		7	Q. was also fired at the	
8	leading or HR was but he was definitely somebody I		8	conclusion of this investigation; correct?	
9	spoke with.		9	A. I recall him being fired. I don't know	
10	Q. And after HR or Mr. Curiale concluded the	12:21:03	10		12:23:28
11	investigation, and this is according to one of the		11	know the reasons for his firing. Or if he left in	
12	documents that you held onto and produced to us in		12	fact. I don't know.	
13	this case, the conclusion of the investigation was		13	Q. And all of this obviously transpired	
14	that, among other things, there was a, quote, toxic		14	before John Giamatteo joined the company; correct?	
15	atmosphere between your elite customer team and	12:21:19	15	A. Correct. 12:23:42	
16			16	MR. LAVOIE: Let's look at Tab 7 which I'll	
17	Do you think that's accurate that there			just mark as the next exhibit, Exhibit 5.	
18	was a toxic environment, separating who's to blame,		18	(Deposition Exhibit 5 was marked.)	
19	right, but just to begin, did you agree with the		19	BY MR. LAVOIE:	
20	outcome of that investigation that there was a toxic	12:21:34	20		::24:12
21	atmosphere between your elite customer organization		21	reads in reverse chron order, so at the bottom it's	24.12
22	and the cyber sales team?	ı	22	the earliest in time in e-mail. So it starts with	
23	A. I maybe somebody has the document. I		23	an e-mail from John Chen to Steve Rai and Neelam	
24	remember the outcome of the investigation being tha	<del>t</del>	24	Sandhu copying John Giamatteo on October 5, 2021.	
25	got fired. I don't remember the	12:21:46	25	And the subject line is Elite/Field Working Together	12:24:34
23	got med. I don't remember the	Page 94	23	And the subject line is Elite/Field Working Fogether	Page 96
1	full document. 12:21:49		1	Framework and Plan. 12:24:3	9
2	Q. We'll get to that and I'm not asking you		2	Do you see that?	
3	what the document said.		3	A. I see that.	
4	I'm saying, did you agree at the time in		4	Q. And Mr. Chen writes, "Please get this	
5	early 2021 that the relationship between the elite	12:21:56	5	completed as none of you (you, me, Neelam, and	12:24:48
6	customer organization and the cybersecurity sales		6	Adam)" who is Adam?	
7	team was toxic?		7	A. I think he's the Europe leader. I don't	
8	A. Like the full teams, no, I don't think so.		8	know if he he moved to the U.S he was back	
9	I think there was an issue between		9	and forth between U.S. and Europe. At this point I	
	, but I didn't have that same issue with,	12:22:14	10	can't remember which location he was in, but he was	12:25:06
1.1	let's say so I believe if I remember		l		
11			11	in the sales team.	
	correctly,	]	11	n the sales team.  Q. Adam Enterkin?	
12	correctly,		12	Q. Adam Enterkin?	
12	I didn't have that issue	12:22:34	12 13	<ul><li>Q. Adam Enterkin?</li><li>A. Correct.</li><li>Q. So he was in the cyber sales team that</li></ul>	2:25:13
12	correctly,  I didn't have that issue with. So I thought it was localized to, like,	12:22:34	12 13 14	<ul><li>Q. Adam Enterkin?</li><li>A. Correct.</li><li>Q. So he was in the cyber sales team that</li></ul>	2:25:13
12 14	correctly,  I didn't have that issue with. So I thought it was localized to, like,  and then worked for him.	12:22:34	12 13 14 15	<ul><li>Q. Adam Enterkin?</li><li>A. Correct.</li><li>Q. So he was in the cyber sales team that</li><li>John Giamatteo was then hired to lead?</li></ul>	2:25:13
12 14 16	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different.  I'm just saying, was the dynamic between	12:22:34	12 13 14 15 16	<ul> <li>Q. Adam Enterkin?</li> <li>A. Correct.</li> <li>Q. So he was in the cyber sales team that</li> <li>John Giamatteo was then hired to lead?</li> <li>A. Correct.</li> </ul>	2:25:13
12 14 16 17	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different.  I'm just saying, was the dynamic between	12:22:34	12 13 14 15 16 17	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that  John Giamatteo was then hired to lead? 12 A. Correct. Q. So Mr. Chen writes, "Please get this	2:25:13
12 14 16 17 18	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different. I'm just saying, was the dynamic between the two teams toxic or was it not toxic at that	12:22:34	12 13 14 15 16 17 18	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that  John Giamatteo was then hired to lead? A. Correct. Q. So Mr. Chen writes, "Please get this  complete as none of us (you, me, Neelam, and Adam)	
12 14 16 17 18 19 20	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different.  I'm just saying, was the dynamic between the two teams toxic or was it not toxic at that time, in early 2021?		12 13 14 15 16 17 18	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that John Giamatteo was then hired to lead? A. Correct. Q. So Mr. Chen writes, "Please get this complete as none of us (you, me, Neelam, and Adam) would like to continue to spend time on this."	
12 14 16 17 18 19 20	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different.  I'm just saying, was the dynamic between the two teams toxic or was it not toxic at that time, in early 2021?  A. When you say "team," I think everybody.		12 13 14 15 16 17 18 19 20	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that John Giamatteo was then hired to lead? 12. A. Correct. Q. So Mr. Chen writes, "Please get this complete as none of us (you, me, Neelam, and Adam) would like to continue to spend time on this." (Reporter seeks clarification.) 12:25:2	
12 14 16 17 18 19 20 21	correctly,  I didn't have that issue with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different.  I'm just saying, was the dynamic between the two teams toxic or was it not toxic at that time, in early 2021?  A. When you say "team," I think everybody.  So I would say no.		12 13 14 15 16 17 18 19 20 21	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that  John Giamatteo was then hired to lead? 1.2 A. Correct. Q. So Mr. Chen writes, "Please get this complete as none of us (you, me, Neelam, and Adam) would like to continue to spend time on this."  (Reporter seeks clarification.) 12:25:2 Q. "Neelam brought it up again with me	
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12 14 16 17 18 19 20 21 22 23	with. So I thought it was localized to, like, and then worked for him.  Q. So my question was different. I'm just saying, was the dynamic between the two teams toxic or was it not toxic at that time, in early 2021? A. When you say "team," I think everybody. So I would say no. Q. Was it toxic as between anybody? A. With it was, yes, because		12 13 14 15 16 17 18 19 20 21 22 23	Q. Adam Enterkin? A. Correct. Q. So he was in the cyber sales team that John Giamatteo was then hired to lead? A. Correct. Q. So Mr. Chen writes, "Please get this complete as none of us (you, me, Neelam, and Adam) would like to continue to spend time on this." (Reporter seeks clarification.) 12:25:2 Q. "Neelam brought it up again with me regarding the MAP approval. This is now a binary situation."	

1	Q. What was it what did you understand to 12:25:36	1	October 5th, 2021; is that fair? 12:28:40
2	be taking up the time that John Chen references this	2	A. That's fair.
	year?	3	Q. I assume you don't blame John Giamatteo
4	(Witness reviews document.)	4	for that conduct that predated his employment there;
5	A. From what I remember, this was 2021, the 12:25:49	5	
	sales team, as salespeople always do, want the best	6	A. I don't blame him for the pre-conduct, no.
	accounts or want the accounts that are doing well.	7	Q. And you don't well, strike that.
8	Salespeople always fight about territories and	8	Mr. Giamatteo's written communications to
9	things like that. So with the accounts that I was	9	you like e-mails let me actually ask this
	responsible for, we were doing we were seeing 12:26:15	10	question. 12:29:11
	success with them in terms of getting deals and	11	In what formats did you have written
11			•
	other things. And the sales team had asked if those	12	communications with John Giamatteo, like e-mail,
13	accounts could be reabsorbed by their business. And	13	BBMe, text?
	John Chen had said no. And I can't remember	14	A. Definitely e-mail, BBM I believe as well.
	exactly, but at some point, I don't know if it was 12:26:34	15	Text, I don't remember. I think that's it. That 12:29:26
	2021 or 2022, but there was a clear MAP update made.	16	would be what we used to use.
	I think there were a couple of updates, but I don't	17	Q. So when Mr. Giamatteo wrote e-mails to you
18	remember the exact timing.	18	or BBMe messages to you, was he generally polite and
19	Q. And this is dated October 5th, 2021. I'll	19	professional?
20	represent to you that was one day after John 12:26:47	20	A. I would say passive/aggressive. 12:29:47
21	Giamatteo joined the company on October 4th, 2021.	21	Q. So my question is different.
22	Do you have reason to dispute that?	22	Is it your testimony that when John
23	A. I know Giamatteo joined in October 2021.	23	Giamatteo wrote e-mails and BBMe messages to you,
24	I don't remember the exact date. Saying the 5th,	24	that he was impolite or unprofessional?
25	could be one day or four days after but soon after, 12:27:02 Page 98	25	A. If you define passive/aggressive as 12:30:07 Page 100
1	yeah. I don't know the exact date he joined. 12:27:03	1	impolite, I would say impolite. I wouldn't say he 12:30:08
2	Q. So in the next e-mail Steve Rai responds	2	was always professional.
3	to the group and says, "Understood. John G and I	3	Q. Well, can you recall an example of a
4	are scheduled to speak tomorrow."	4	written communication, an e-mail or a BBMe where
5	Then you write and you drop John Chen and 12:27:15	5	Mr. Giamatteo was passive/aggressive? 12:30:22
6	John Giamatteo, write only to Steve Rai, "This is an	6	MS. BOURN: Calls for a narrative.
7	example of what I mean by constant	7	THE WITNESS: Let's see, what do I recall?
8	opinion/discussions about my role."	8	I've got an example where he e-mailed sent an
9	What did you mean by that?		e-mail saying he wants to set up something like a
10	A. So I was at BlackBerry for nearly 15 12:27:35	10	
11	years, if I remember correctly, like just shy of, I	11	review deals that my team are working on and make
12	think, before I got fired and had lots of good	12	decisions on them and essentially implying that I
13	experiences. And it was around the time I joined	13	would not be part of that, he would be directly
14	John Chen's leadership team that I started to	14	interfacing with my team and got directing them.
15	experience what I would describe as gender 12:28:03	15	I think that's unprofessional and 12:31:04
16	discrimination. It was I do think it was a	16	passive/aggressive.
17	culture problem within the company and it was you	17	BY MR. LAVOIE:
18	know, it got worse and worse over time. And then	18	Q. So the substance of what he was trying to
19	when John Giamatteo joined, it was when it became	19	do you viewed as passive/aggressive.
20	worse than it had ever been before. 12:28:23	20	I'm talking about, like, the tone and 12:31:12
21	I don't remember the question, but if you	21	tenor and word choice of his e-mails, was anything
22	could repeat it.	22	about that unprofessional or impolite?
23	Q. So it's your testimony that you	23	A. The tone, from what I recall, no, but I
24	experienced long-running gender discrimination at	24	don't think unprofessional comes down to just tone.
25	the company prior to sending this e-mail on 12:28:36 Page 99	25	Q. In any interaction with you, has 12:31:35 Page 101

1	Mr. Giamatteo ever raised his voice? 12:31:40	1	A. I was certainly frustrated that nobody 12:33:57
2	A. Yes.	2	was I didn't feel like my the treatment I was
3	Q. In what interaction? Did he raise his	3	receiving, both based on gender discrimination and
4	voice directed at you or was it in a group setting?	4	sexual harassment, was being taken seriously or
5	Can you describe? 12:31:55	5	acted upon. 12:34:11
6	A. I believe it was one-on-one. It's more	6	MR. LAVOIE: We'll pull what I will mark as
7	like you could hear the frustration coming through	7	Exhibit 6.
8		8	(Deposition Exhibit 6 was marked.)
9	Q. Which conversation was that?	9	THE WITNESS: Do you want me to read the whole
10	A. After a while I would say it became most 12:32:08		thing? 12:34:47
	conversations with him. It wasn't friendly and		BY MR. LAVOIE:
12		12	Q. Sorry. I can take you to so I'll look
13	Q. Did you ever display frustration when you	13	at the first page. There's an e-mail from you to
	were talking to John Giamatteo?	14	Steve Rai and David Dougall, copying Tim Foote and
15	A. I tried not to. I tried to be 12:32:30		Phil Kurtz on April 14th, 2022. 12:35:04
	professional. I don't recall a time I in a	15	Do you see that?
16			
17	1	17	A. I see that.
18	Chen I would have.	18	Q. So John Giamattee had been at the company
19	Q. So it's your testimony, in some of your	19	, , , ,
20	one-on-one interactions with John Giamatteo, he 12:32:45	20	
21	1 3	21	A. Yeah, that sounds reasonable.
22	display frustration with him? That's your	22	Q. And you write to Steve Rai, the chief
23	testimony?	23	financial officer at the time, "No problem. Phil
24	A. Yes.	24	sent an e-mail a few days ago. Will send you a
25	Q. And he raised his voice at you on one or 12:32:55 Page 102	25	solid draft by tend of next week." 12:35:27 Page 104
1	more occasions in conversation and you never raised 12:32:57	1	Do you see that? 12:35:29
2	your voice with him?	2	A. Yes.
3	A. I'm not very good at like it's not like	3	Q. And in the next e-mail so that's on
4	something I do.	4	Thursday, April 14th, so on a Thursday. And then 10
5	Q. Steve Rai sorry. Strike that. 12:33:05	5	days later, on a Sunday, Steve Rai writes back to 12:35:38
6	Did John Giamatteo ever direct profanity	6	you and says, "Neelam, appreciate update tomorrow,
7	at you?	7	please. Board material needs to be posted one week
8	A. Like to me one-on-one, like what do you	8	in advance."
9	mean, swear words? No.	9	So you had said, "I'll get you a draft by
10	Q. Steve Rai was so strike that. 12:33:20	10	the end of next week," which I think, judging from 12:35:50
11	Is it your testimony you never raised your	11	the dates, that would have been Friday, April 22nd;
		12	: 1.0
12	voice with people at work?	12	right?
12 13	voice with people at work?  A. Yeah. I mean that's just not me	13	A. Yes.
	A. Yeah. I mean that's just not me		
13	A. Yeah. I mean that's just not me	13 14	A. Yes.
13 14 15	A. Yeah. I mean that's just not me personally or professionally.	13 14	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai
13 14 15	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36	13 14 15	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you 12:36:01
13 14 15 16	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.	13 14 15 16	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week
13 14 15 16 17	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial	13 14 15 16 17	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance.
13 14 15 16 17 18	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the	13 14 15 16 17 18	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah.
13 14 15 16 17 18 19	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the	13 14 15 16 17 18 19 20	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah. Q. And then you write to John Chen, dropping 12:36:12
13 14 15 16 17 18 19 20 21	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the company; correct? 12:33:47  A. Several like?	13 14 15 16 17 18 19 20 21	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah. Q. And then you write to John Chen, dropping everyone else well, adding John Chen. You add
13 14 15 16 17 18 19 20 21 22	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the company; correct? 12:33:47  A. Several like?  Q. The last couple of years.	13 14 15 16 17 18 19 20 21 22	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah. Q. And then you write to John Chen, dropping everyone else well, adding John Chen. You add John Chen, you forward this to him without anyone
13 14 15 16 17 18 19 20 21 22 23	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the company; correct? 12:33:47  A. Several like?  Q. The last couple of years.  A. Yeah.	13 14 15 16 17 18 19 20 21 22 23	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah. Q. And then you write to John Chen, dropping everyone else well, adding John Chen. You add John Chen, you forward this to him without anyone else on the e-mail.
13 14 15 16 17 18 19 20 21 22 23 24	A. Yeah. I mean that's just not me personally or professionally.  Q. So the answer is no, you never raised your 12:33:36 voice with people at BlackBerry?  A. Yes.  Q. Steve Rai BlackBerry's chief financial officer for the last several years you were at the company; correct? 12:33:47  A. Several like?  Q. The last couple of years.	13 14 15 16 17 18 19 20 21 22	A. Yes. Q. It's now Sunday, April 24th, and Mr. Rai is just asking you for an update here informing you that the board materials need to be posted one week in advance. Do you see that? A. Correct, yeah. Q. And then you write to John Chen, dropping everyone else well, adding John Chen. You add John Chen, you forward this to him without anyone

1 Q. And you write, "I did respond." And then 12:36:24		individuals who you believe were attacking you 12:38:44
2 at the bottom of this you write, "Let's stop	2	regularly?
3 attacking me. It is not right."	3	A. John Giamatteo, Tim Foote, Phil Kurtz.
4 Do you see that?	4	Those are really the key ones. And then at times I
5 A. Yes. I just want to read the in-between 12:36:34	5	didn't feel like Steve Rai was being appropriately 12:38:59
6 in case you ask me a question about it.	6	professional or supportive either.
7 (Witness reviews document.)	7	Q. So would you include Steve Rai in the list
8 A. Yes.	8	of individuals who were attacking you?
9 Q. You thought that Mr. Rai was attacking	9	A. He went along with the crowd at times.
10 you; correct? 12:36:51	10	Q. But did he himself attack you or did he 12:39:20
11 A. I didn't again, I didn't feel like I	11	just like not stop it, is that what you're saying?
12 was being taken seriously and I felt that I had	12	A. I think a mix of both. When I look at
13 been I was not generally, as other execs were,	13	this e-mail, he was again kind of misrepresenting
14 given the opportunity to present my own work to the	14	things so I do see that in the same vein especially
15 board. And so with this ask, I was looped in very 12:37:08	15	when you bring all of these examples together. 12:39:38
16 late. To put an ESG report together is a lengthy	16	Q. So John Giamatteo was one of your
17 process and I was given this request very late and	17	attackers, according to your testimony, and then
18 asked to turn it around in a short time frame. What	18	other attackers, the key ones were Tim Foote and
19 I remember and it does say Vancouver here. I	19	Phil. You also testified that you believe Steve Rai
20 remember having to go to Canada in between maybe for 12:37:29	20	was one of your attackers. 12:39:52
21 a customer meeting or something. It was a work	21	What other individuals at the company, and
22 trip.	22	we can limit it to like the last couple of years at
23 And so, again, having that short	23	the company, would you consider to have been your
24 turn-around time. And so I called Steve Rai and	24	attackers at the company?
25 said hey, I'm working on this, short turn-around 12:37:42 Page 10	25	A. Attackers, it would be really kind of 12:40:07 Page 10
1 time, not familiar with the board process because 12:37:44	1	focused on Giamatteo's team. People within his 12:40:08
2 I'm not normally included in them or being given	2	team men within his team were emboldened by him
3 like the opportunity to submit present my own	3	and did not treat me professionally as a woman. And
4 1		
4 work.	4	he allowed that and then so it kind of spread within
4 work.  5 And so, yes, on a regular basis I felt 12:37:51		he allowed that and then so it kind of spread within his team. 12:40:30
		•
5 And so, yes, on a regular basis I felt 12:37:51	5	his team. 12:40:30
5 And so, yes, on a regular basis I felt 12:37:51 6 like I was being attacked. And any small thing like	5 6	his team. 12:40:30  Q. I'm just asking for names of individuals.
5 And so, yes, on a regular basis I felt 12:37:51 6 like I was being attacked. And any small thing like 7 being a day which I do not call it late, but a	5 6 7	his team. 12:40:30  Q. I'm just asking for names of individuals.  So what names of individuals who've
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1	now? 12:41:45		1	BY MR. LAVOIE: 12:4	13:42
2	A. At this moment in time, no.		2	Q. My question is very specifically, did you	
3	Q. If you think of additional people		3	ever tell Steve Rai that John Giamatteo had touched	
4	throughout the remaining hours of the deposition		4	you or tried to touch you? Did you tell him that or	
5	that you didn't mention, will you let me know?	12:41:53	5	did you not tell him that? 12:43	·51
6	A. Of course. No problem.	12.41.55	6	A. I did not.	.51
7	Q. And is it your opinion that Steve Rai is		7	Q. Did you ever tell Steve Rai that John	
	racist or sexist and that's why he attacked you?		8	Giamatteo had suggested traveling together? Did yo	211
9	A. I don't know, obviously, but my guess		9	tell Steve Rai that or did you not tell him that?	Ju
		12,42,12		·	
	would be he would go along with the crowd as he	12:42:12	10		
11	wanted to be part of kind of that boys' club.		11	Q. When you told Steve Rai that, did you tell	
12	Q. So my question wasn't whether he wanted to		12	him that you interpreted that as a sexual advance,	
13	go along with the crowd or not.		13	yes or no?	
14	My question is, based on your interactions		14	A. Yes.	
15	with Steve Rai, do you believe he was racist or	12:42:29	15		12:44:12
16	sexist?		16	MR. LAVOIE: Let's go to what I'll mark as	
17	A. Possibly sexist, yeah, I do think so.		17	Exhibit 7 which is Tab 30 for me.	
18	Q. And what facts informed that opinion that		18	(Deposition Exhibit 7 was marked.)	
19	Steve Rai is a sexist person?		19	BY MR. LAVOIE:	
20	A. He would go along with the boys' club	12:42:43	20	Q. Did you ever tell Steve Rai that you	12:45:00
21	rather than standing up for the right thing.		21	thought that John Giamatteo was retaliating against	
22	Q. So he wouldn't always side with you or he		22	you in some way because you had rejected a sexual	
23	would often side with people, men, who disagreed		23	advance?	
24	with you?		24	A. Yes.	
25	MS. BOURN: Misstates prior testimony.	12:42:55 Page 110	25	Q. You did? 12:45:12	Page 112
					1 4ge 112
1	<i>y y</i> 8	12:42:57	1	A. Yes. 12:45:12	
	question.		2	Q. You said he rejected my I rejected his	
3	THE WITNESS: It's not about siding. It's		3	sexual advance and he has retaliated against me by	
	about doing the right thing. I spoke to him about		4	doing what?	
	the sexual harassment and he did nothing really. So	12:42:59	5	A. Cutting me out of meetings, trying to get	12:45:21
	that's not siding; that's just not doing the right			my have my role be reduced or get me fired,	
7	thing. That's going with the boys' club.		7	telling people he was working on getting me out of	
8	BY MR. LAVOIE:		8	the company, being nonresponsive at times, those	
9	Q. Did you tell Steve Rai at any point that		9	things.	
10	John Giamatteo had touched you or tried to touch	12:43:12	10	(Reporter seeks clarification.) 12:4	5:47
11	you?		11	Q. Just to be very clear, it doesn't surprise	
12	A. I told him that he made me very		12	me that you shared your views with Steve Rai that	
13	uncomfortable. I'm not comfortable talking about		13	John Giamatteo didn't invite you to meetings and	
14	these kind of things.		14	things of that nature. But you're certain that you	
15	Q. Wasn't my question. Wasn't asking whether	12:43:23	15	told Steve Rai that the reason John Giamatteo was	12:46:02
16	you told Steve Rai whether you were comfortable or		16	doing those things is because you had rejected his	
17	uncomfortable.		17	sexual advance?	
18	My specific question was, did you ever		18	A. I may not have used the words "sexual	
19	tell Steve Rai that John Giamatteo touched you or		19	advance" but I did speak to Steve Rai about this.	
20	tried to touch you? 12:43:33	}	20	Q. Yes. So what specifically did you tell	12:46:14
21	A. I said he was making me very		21	Steve Rai? When you said John Giamatteo was doin	
	uncomfortable.		22	X, Y, and Z things and he's doing it because	-6
	MR. LAVOIE: Again, I'm going to move to strike	٩	23	what? What words did you use?	
22	IVIN. LA VOIL. Again, I'm going to move to strike		43	what. What words did you use:	
23			24	A I don't remember the avest words Dut it	
23 24	as nonresponsive, because it doesn't answer my question. 12:43:42		24	A. I don't remember the exact words. But it would have been that along the lines of I didn't	12:46:27

		1	
1	agree to things, with doing things that would 12:46:31	1	uncomfortable. 12:49:01
2	have I believe were unprofessional and would make	2	BY MR. LAVOIE:
3	me uncomfortable. For example, traveling together,	3	Q. And I want to drill down on the touching.
4	which I found to be a strange thing to ask me, and	4	What did you tell John Chen that John
5	after not positively responding that's what I 12:46:46	5	Giamatteo had done with respect to touching you or 12:49:07
6	used to say positively responding to his	6	trying to touch you?
7	advances. That was it.	7	A. I didn't go into all of the specifics.
8	Q. Okay. That's what you told Steve Rai?	8	Again, these are things I'm not very comfortable
9	A. That was a phrase I used to use because	9	speaking about in life in general, especially in a
10	saying "sexual" in the office sounds weird to me. 12:46:56	10	professional environment. And John Chen didn't have 12:49:2
11	Q. Yeah. but it was clear to both of you, it	11	much of an appetite for these types of conversations
12	was your understanding that that meant sexual	12	either. So I remember telling him at dinner John
13	advances?	13	Giamatteo is like leaning over the table and
14	A. Oh, yes, yeah.	14	touching my hand and then after dinner he was
15	Q. And when did you tell him that relative to 12:47:07	15	getting uncomfortably close and sort of summarized 12:49:36
16	when Mr. Giamatteo engaged in the sexual advance?	16	it, I would say.
17	A. I don't remember, to be honest with you.	17	Q. Let's drill down on the touching. You
18	It was more than once. But I remember going to John	18	said two things so far. Was there any other
19	Chen first. I don't remember when I went to Steve	19	touching other than, like, leaning over the table to
20	Rai. 12:47:23	20	try to touch your hand or touching your hand and 12:49:49
21	Q. How soon after John Giamatteo first made	21	when you walked away and you were close? Was there
22	some kind of sexual advance, according to you, did	22	any at any point in your life that John Giamatteo
23	you tell John Chen about it? How much time between	23	touched you inappropriately or tried to touch you?
24	them?	24	A. No. And I believe that is because I was
25	A. I think it was within 24 to 48 hours. 12:47:34 Page 114	25	pretty clear that this is not going to happen. 12:50:05 Page 116
_		+	
1	Q. And how did he respond? 12:47:38	1	Q. I just want to narrow the universe so we 12:50:08
1 2		1 2	- •
	Q. And how did he respond?  A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that		Q. I just want to narrow the universe so we can drill down. Let's talk about when you allege that he tried to touch your hands.
2	A. He said he thought it was very disturbing.	2	can drill down. Let's talk about when you allege
2	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.	2 3	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.
2 3 4	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen  12:47:49	2 3 4	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.
2 3 4 5	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen  12:47:49	2 3 4 5 6	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  12:50:18
2 3 4 5 6	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John	2 3 4 5 6	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by
2 3 4 5 6 7	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.	2 3 4 5 6 7	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?
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2 3 4 5 6 7 8 9 10 11 12 13 14	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over	2 3 4 5 6 7 8 9 10 11 12 13 14	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he
2 3 4 5 6 7 8 9 10 11 12 13 14	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his  12:48:19	2 3 4 5 6 7 8 9 10 11 12 13 14 15	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I  12:50:47
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I think it was fries. I normally get fries and he
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.  Mentioned what else those are the things that spring immediately to mind.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  12:50:29  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I  think it was fries. I normally get fries and he wanted to share them. So as I'm going for them,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.  Mentioned what else those are the things	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I 12:50:47 think it was fries. I normally get fries and he wanted to share them. So as I'm going for them, he's going for them, so it was ongoing attempts to
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.  Mentioned what else those are the things that spring immediately to mind. I mentioned it made me highly uncomfortable. I mentioned the conversation with Shaila as well at some point which happened later.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I  think it was fries. I normally get fries and he wanted to share them. So as I'm going for them, he's going for them, so it was ongoing attempts to touch and that's  Q. So your recollection is you're going for a  12:51:02  fry and the way he tried to touch you is that he
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.  Mentioned what else those are the things that spring immediately to mind.  I mentioned it made me highly uncomfortable. I mentioned the conversation with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I 12:50:47 think it was fries. I normally get fries and he wanted to share them. So as I'm going for them, he's going for them, so it was ongoing attempts to touch and that's  Q. So your recollection is you're going for a 12:51:02
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. He said he thought it was very disturbing.  He said I don't have to travel with him. And that was what he said.  Q. Tell me everything that you told John Chen in that conversation when you were describing John Giamatteo's advance.  MS. BOURN: Calls for a narrative.  THE WITNESS: From what I remember, I told him that Giamatteo asked me to travel with him without giving any sort of business reason or asking me about my background of what my career ambitions might be or anything professional. I mentioned the dinner invitation. I mentioned his touching over dinner. I mentioned his comment to me about his daughters that had strong parallels to the dinner.  Mentioned what else those are the things that spring immediately to mind.  I mentioned it made me highly uncomfortable. I mentioned the conversation with Shaila as well at some point which happened later.  So pretty much everything that was occurring I would have brought it up to him and said this is I don't have an e-mail that shows this but these are	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	can drill down. Let's talk about when you allege that he tried to touch your hands.  A. Touched, yeah.  Q. He did touch your hands.  Can you show me like what do you mean by that? You're sitting across from each other?  A. Yeah, like a high in the bar there's, like, high tables.  Q. High-top? You're on a bar stool?  A. Yes. It was like a narrow table, not like this, so it's easy you're in close proximity let's say. So I'm sitting at the table. He's leaning over and touching. I ordered fries and he wanted to share them. Or it was something I think it was fries. I normally get fries and he wanted to share them. So as I'm going for them, he's going for them, so it was ongoing attempts to touch and that's  Q. So your recollection is you're going for a 12:51:02 fry and the way he tried to touch you is that he would choose to go for a fry with his hands at the

	as I also said, if I'm sitting at the table, kind of 12:51:18	1	Q. So and each of those times it's your	12:53:27
	like this or just whatever however one sits,		recollection he actually touched your hand in a	
	resting the fork down, actually leaning over and	3	provocative way?	
4		4	A. Yeah. He was constantly also leaning over	
5	BY MR. LAVOIE: 12:51:29	5	the table, like, just the unnecessarily closely	12:53:36
6	Q. Let's focus on the fries for a second. So	6	as well.	
7		7	Q. How long relative to when he started at	
8	that he would choose to reach for a fry at the same	8	the company did this happen, this dinner?	
9	time you did so that he would basically have an	9	A. Oh, I recall it was like one of my first	
10	excuse to touch you. 12:51:42	10	interactions with him. I remember having a	12:53:50
11	Is that what you're saying?	11	one-on-one meeting with him in his office in San	
12	A. I think that's one example but	12	Ramon as the first interaction. And the dinner	
13	deliberately going for my hand rather than the food.	13	would have either been that same evening or that	
14	Q. So you would go for a fry and when you	14	week is my recollection, very soon after he started.	
15	went for a fry, he would go to touch your hand? 12:51:51	15	Q. Okay. So as you reach for a fry and he,	12:54:06
16	A. Yeah. Like say it's a bowl. Didn't	16	like, touches your hand and doesn't touch the food,	
17	you can reach for a fry at the same time as someone	17	so he's not touching the food. He's just touching	
18	and get your hand like that on theirs. That's I	18	your hand?	
19	think that's inappropriate. I didn't offer to it	19	A. At that point, yeah. I can't remember if	
20	wasn't something I offered to share my food either. 12:52:06	20	he actually ate fries or not but he may have.	12:54:21
21	It was something he set up.	21	Q. And you're literally recoiling, like	
22	Q. Okay. So was it an appetizer or was it	22	you're making it very clear that you don't	
23	your meal?	23	A. Yeah. Without like without also	
24	A. Gosh, I don't remember. I'm vegetarian	24	first time I'm meeting a new peer of mine. I don't	
25	and a lot of times in restaurants unless it's, like, 12:52:21 Page 118	25	want to also be disruptive but I don't want that	12:54:34 Page 120
1	an Indian restaurant or vegan one, there's a salad 12:52:26	1	behavior either. So I'm trying to get away from him	12:54:39
2	option but I don't really get full, so I often go	2	rather than shouting or screaming or swearing, just	
3	for salad and fries. So it could have been both	3	getting myself out of it.	
4	together. I don't know.	4	Q. You're kind of jerking back in a way	
5	Q. Could have been either. 12:52:37	5		54:52
6	You're saying you're reaching for a fry	6	(Reporter seeks clarification.)	
7	and he reaches kind of into the fry dish not seeming	7	Q. You're jerking your hand back like kind of	
	to go for a fry but intending to touch your hand?	8	suddenly enough that, in your view, he should have	
9	A. Like each time. Maybe not every single		clearly been able to perceive that this was like	
	time, but often enough that it's uncomfortable and 12:52:52		unwelcome touching? 12:5	5:11
11	unnatural.	11	A. Correct.	
12	Q. Did he actually touch your hand?	12	Q. Okay. So we've covered the fries. So	
13	A. Correct.		let's talk about him I think you were saying he's	
14	Q. Would he caress your hand?	14	leaning over the table, separate from the fries, and	
15	A. That's what I felt like and I'm pulling 12:53:01	15	he is trying to touch you, he is actually touching	12:55:25
16	back. And eventually I stopped eating them		you?	
17	because I'll eat when I got home. I want to get	17	Can you explain?	
18	out of there.	18	A. A mix of both. Like at times like trying	
	Q. So how many times did you reach for fries	19	to touch me and then I'm eventually kind of just	
19	- · · · · · · · · · · · · · · · · · · ·	20	sitting back. It was a stool so I can't lean back	12:55:36
	and he physically made contact with your hand, like 12:53:11			
20		21	but sitting back far enough that he cannot lean over	
20	would you estimate? Does that happen once during	21 22	but sitting back far enough that he cannot lean over any further.	
20 21 22	would you estimate? Does that happen once during the meal or is that something that happened five		any further.	re
20 21 22 23	would you estimate? Does that happen once during the meal or is that something that happened five times, 10 times?	22	any further.  Q. Can you just show me where your hands were	re
19 20 21 22 23 24 25	would you estimate? Does that happen once during the meal or is that something that happened five	22 23 24	any further.	re 12:55:50

1	situation? 12:55:50		1	MS. BECK: I'm sure we do. 12:58:54
2	A. Sometimes it would be like I tend to		2	THE WITNESS: Thanks.
3	eat especially with my elbows on the table, so		3	MR. LAVOIE: Why don't we take a quick break?
4	sometimes it would be like this. I don't recall		4	I don't think this needs to be video taped.
5	exactly but there would be occasions when I'm like	12:56:04	5	THE VIDEOGRAPHER: This marks the end of Media 12:59:09
6	this, versus sitting back without leaning back		6	Unit 2. Going off the record. The time is
7	because I didn't have a back to my stool.		7	12:59 p.m.
8	Q. So again, separate from the fries		8	(Off the record.)
9	situation maybe I don't have to give that		9	THE VIDEOGRAPHER: This marks the beginning of
10	qualification every time. But separate from the	12:56:18	10	Media Unit 3. We are going back on the record. The 13:00:32
11	fries situation, you have hands on the table and he		11	time is 1:00 p.m.
12	leans over and just with no other purpose, just			BY MR. LAVOIE:
13	touches your hands.		13	Q. So you've testified so far, and I'm
14	How many times would you estimate that			summarizing this. If I'm not summarizing it
15	that happened, that he like actually touched your	12:56:29		correctly, I'm counting on you to correct me. 13:00:46
16	hands in that way?	12.50.2)	16	A. Okay, thanks.
17	A. Once and then in a second attempt but like		17	Q. So at the dinner, we're trying to drill
	I'm sort of moving back fast enough and then not			down on the different categories of allegations
19	putting my hands on the table again after that. And		19	about touching or attempted touching. So far my
20	I remember stopping eating and I had some snacks in	n 12:56:41		understanding of your testimony is that there was 13:00:59
1	my car and then I ate when I got home.	1 12.30.41		one category that was that you were reaching for
21 22	Q. So it was just like unmistakable to			· · · · · ·
			22	fries, he went in and touched your hand and you
23	anybody this was an expression of romantic interest?		23	estimate and your best estimate is that that
24	That was your view?	12:56:56		happened approximately five times.
25	A. Correct. I have never had a colleague,	Page 122	25	In addition to that, separate from the 13:01:13  Page 124
				~
1	male or female, do that before or after ever.	12:56:57	1	fries a second category is you're sitting in a 13:01:15
	,	12:56:57		fries, a second category is you're sitting in a  13:01:15  booth. You have your hands on the table and
2	Q. Was this a traumatic experience for you?	12:56:57	2	booth. You have your hands on the table and
2	<ul><li>Q. Was this a traumatic experience for you?</li><li>A. It was, yes.</li></ul>	12:56:57	2	booth. You have your hands on the table and Mr. Giamatteo, your testimony is, reached like
2 3 4	<ul><li>Q. Was this a traumatic experience for you?</li><li>A. It was, yes.</li><li>Q. Did it just like shake you? I mean, like,</li></ul>		2 3 4	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.
2 3 4 5	<ul><li>Q. Was this a traumatic experience for you?</li><li>A. It was, yes.</li><li>Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I</li></ul>	12:56:57	2 3 4 5	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.  That happened once. And then when he attempted to  13:01:29
2 3 4 5 6	<ul><li>Q. Was this a traumatic experience for you?</li><li>A. It was, yes.</li><li>Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?</li></ul>		2 3 4 5 6	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.  That happened once. And then when he attempted to do that a second time, you pulled your hands back.
2 3 4 5 6 7	<ul> <li>Q. Was this a traumatic experience for you?</li> <li>A. It was, yes.</li> <li>Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?</li> <li>A. Yeah. Gave me that tight feeling in your</li> </ul>		2 3 4 5 6 7	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.  That happened once. And then when he attempted to do that a second time, you pulled your hands back.  Is everything accurate so far?
2 3 4 5 6 7 8	<ul> <li>Q. Was this a traumatic experience for you?</li> <li>A. It was, yes.</li> <li>Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?</li> <li>A. Yeah. Gave me that tight feeling in your stomach that you get when you're feeling unsafe or</li> </ul>	12:57:13	2 3 4 5 6 7 8	booth. You have your hands on the table and Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand. That happened once. And then when he attempted to do that a second time, you pulled your hands back.  Is everything accurate so far?  A. I think so, yes.
2 3 4 5 6 7 8	Q. Was this a traumatic experience for you?  A. It was, yes. Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?  A. Yeah. Gave me that tight feeling in your stomach that you get when you're feeling unsafe or anxious, suddenly maybe a women would resonate	12:57:13	2 3 4 5 6 7 8	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.  That happened once. And then when he attempted to do that a second time, you pulled your hands back.  Is everything accurate so far?  A. I think so, yes.  Q. Okay. So let's limit it to when you were
2 3 4 5 6 7 8 9	Q. Was this a traumatic experience for you?  A. It was, yes.  Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?  A. Yeah. Gave me that tight feeling in your stomach that you get when you're feeling unsafe or anxious, suddenly maybe a women would resonate more with that feeling. But it's that tight feeling	12:57:13	2 3 4 5 6 7 8 9	booth. You have your hands on the table and Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand. That happened once. And then when he attempted to do that a second time, you pulled your hands back. Is everything accurate so far? A. I think so, yes. Q. Okay. So let's limit it to when you were physically in the restaurant as opposed to when you  13:01:42
2 3 4 5 6 7 8 9	Q. Was this a traumatic experience for you?  A. It was, yes. Q. Did it just like shake you? I mean, like, could you describe that? It was very memorable, I imagine; right?  A. Yeah. Gave me that tight feeling in your stomach that you get when you're feeling unsafe or anxious, suddenly maybe a women would resonate more with that feeling. But it's that tight feeling in your stomach and you feel unsafe, like you want	12:57:13	2 3 4 5 6 7 8 9 10	booth. You have your hands on the table and  Mr. Giamatteo, your testimony is, reached like kind of leaned over the table and touched your hand.  That happened once. And then when he attempted to do that a second time, you pulled your hands back.  Is everything accurate so far?  A. I think so, yes. Q. Okay. So let's limit it to when you were physically in the restaurant as opposed to when you were walking away.
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2 all the way to his hotel. It's just to fine car park 3 MS BOURN: Calls for speculation, compound. 4 THE WITNESS: When you're walking and like 5 concome is getting super close and they want – here 5 and attempting to put their arm around you and I was 7 moving away. 8 PY MR. LAVOIE: 9 Q. Okay, You thought – so your testimony is 10 he was attempting to put his arm around your 13 about 12 A Not shoulder, lower than that. I don't 13 know if you want to call it waist, like this kind of 14 side of things 15 Q. Was he drunk? 16 A He had had wine. I ddn't drink. I 17 ddn't feet controlable enough to drink. I get 18 like – alcohol affects me quickly. And I wouldn't 19 say – I mean, I don't know. I don't think he drank 20 excessively a lowedth assumed runk. 21 Q. Do you have an estimate, just based on 22 your perception, of how many glasses of wine he had? 23 A. I was long. I remember like – well, I 1303:35 Page 126 24 Q. How long was the dimer approximately? 25 A. It was long. I remember like – well, I 1303:35 Page 126 26 Contrations how long. It felt long. 27 Q. When you left, was it dark outside n was 8 result somewhart light?  9 A. I don't remember. 13 old he seemed was time. 1304:36 14 A. Yesh, it was 10 long that the tries to put his arm around your 13 one; 14 A. He had had wine in the sense of like the 15 who is side of the body getting so close that were 13:05:26 16 touching. 17 I was long. I remember like or was 18 Yes that you anticipated that that she was the was the late of the body getting so close that were like to the long that the your she was an attempt. I led did in — he 16 touching. 17 O, Wor't brushing up against cach other? 18 A. Frought pressure as well, yeah. It's not a 19 probe I would any into more than two maybe. 22 wanted to get away. But I also knew that within 3 BlackBerry, as a woman, you're not saying please and 4 thank you enough, like the blane always common on the like was the was the waster of the body getting to get how he was the waster of the blane always common on the like waster	2 away from the diamer? 3 MS. BOURN: Calls for speculation, compound. 4 THE WITNESS: When you're walking and like 5 someone is getting super close and they want here 6 and attempting to put their arm around you and I was 7 moving away. 8 BY MR. LAVOIE: 9 Q. Okay. You thought so your testimony is 10 he was attempting to put his arm around you 13:02:54 11 shoulder? 12 A. Not shoulder, lower than that. I don't 13 know if you want to call it waist, like this kind of 14 side of things. 15 Q. Was he drunk? 16 A. He had had wine. I didn't drink. I 17 didn't feel comfortable enough to drink. I get 18 like alcohol affects me quickly. And I wouldn't 19 say I mean, I don't know. I dort think he drank 20 excessively so twouldn't same around you 21 our perception. of how many glasses of wine he had? 22 our perception, of how many glasses of wine he had? 23 A. I would say on more than two maybe. 24 Q. How long was the dinner approximately? 25 A. It was long. I renember like well. I 25 MS. BOURN: Calls for speculation. 26 I THE WITNESS: I don't know. I mean I saw his 27 trying to do and you prevented him from doing than? 28 the the you are lose enough and I 29 was his mm move and so I moved agains on the attempt 20 was there. 21 didn't successfully touchy ou you feet what have a fry in you resimented him from doing than? 21 didn't successfully touchy ou you guing the attemption of any thing the attemption of a was the attemption of any thing the death of thing. 21 Q. Not she drunk? 22 Q. You're brushing up against each other? 23 A. I would say on more than two maybe. 24 Q. How long was the dinner approximately? 25 A. It was long. I refel in give less than your and the approximately? 26 A. It was long to remember like - well. I 3303:35 2 wantel to get away. But I also knew that within 3 Hould supplied to you have an estimate, just based on 2 was the was the wing the young th	
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4 What was your question? 5 on moreone is getting super close and they want – here 6 and armorping to put their arm around you and I was 7 moving away; 8 BY MR. LAVOIE: 9 Q. Okay. You thought – so your testimony is 10 he was attempting to put his arm around your 13 shoulder. 13 shoulder, lower than that. I don't 13 shoulder, lower than that. I don't 14 side of things. 15 Q. Was he drunt? 15 didn't feel comfortable enough to drink. I get 16 he was attempted to an estimate, just based on 17 didn't feel comfortable enough to drink. I get 18 like – alcohol affects me quickly. And I wouldn't 29 say – Iman, I don't know. I don't hink he drank 20 excessively so I wouldn't assume drunk. 21 Q. Do you have an estimate, just based on 22 your perception, of how ramy plases of wine he had? 23 A. I would say no more than two maybe. 24 Q. How long was the dimner approximately? 25 A. It was long. I remember like – well, I 13-03-25 26 don't know how long. I friel long. 27 Q. We have and the provising please and 4 thank you enough, like the blame alloway scenes on the 3 somam. So like I didn't feel like I was stuck and I 13-03-26 3 A. I would say no annow than the more approximately? 26 A. I was long. I remember like – well, I 13-03-35 6 don't know how long. It friel long. 4 O. When you left, was it dark outside or was 8 it still somewhat "ight" to be a long to long the waster of the long that it was the waster linking going back to his hote! 15 O. You say he was dressed up. 16 (like – so I definitely like like and like the blame alloway scenes on the 17 my shoulders but somewhere in between 18 (like homing to hand the waster) in trying to walk in just 2 10 Q. A From what I remember, I'm trying to walk 12 (like longing to waste was the waster plant) in the remember like he had gone for dinner, I don't know. I'm the waster with was the waster with so office, car park 19 Q. A fee you did with any body really. Unless it's like 20 (like horing to go home with you that more approximately? 21 A. Houd have been used to the body of dinn	4 THE WITNESS. When you're walking and like 5 someone is getting super close and they want – here 6 and attempting to put their arm around you and I was 7 moving away. 8 PY MR. LAVOIE: 9 Q. Okay. You thought – so your testimony is 10 he was attempting to put his arm around your 11 shoulder? 12 A. Not shoulder, lower than that. I don't 13 know if you want to call it waist, like this kind of 14 side of things. 15 Q. Was he drunk? 16 A. He had had wine. I didn't drink. I 17 didn't feel comfortable enough to drink. I get 18 like – alcohol affects me quickly. And I wouldn't 19 say – I mean. I don't know. I don't think he drank 20 excessively so I wouldn't assume drunk, 11 don't assume drunk. 12 Q. Do you have an estimate, just based on 22 your perception, of how many glasses of wine he had? 23 A. I would say no more than two maybe. 24 Q. How long was the dinner approximately? 25 A. It was long. I remember like – well, I 26 Was the drunk of think he drank 27 trying to do and you prevented him from doing that? 28 A. Yeah. I saw—he came close enough and I 29 saw his arm move and so I moved again so the attempt 10 was there. 11 didn't successfully touchy our your testimony. He didn't – he 12 didn't successfully touchy our your testimony. He 13 didn't feel comfortable enough to drink. I get 14 A. He did touch me in the sense of like the 15 whole sade of the body getting so close that we're 16 touching. 17 Q. You've brushing up against each other? 18 A. Enough pressure as well, yeah. If's not a 19 brush. I would say like a pushing into me a little 20 bit but I'm not falling over, but yeah is 21 Q. Was it your sense that Mr. Gianauto was 22 like I would, like the himan always comes on the 33 BlackBerry, as a woman, you're not saying please and 4 thank you compal, like the blame always comes on the 5 woman. So like I didn't feel like I was stuck and I 21 seatiment in the serve of like he was tripin to touch my bottom or 22 my the proposed of the proving the say of the proving the proving the proving the proving the proving	
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6 ind attempting to put their arm around you and I was 7 moving away. 7 moving away. 8 BY MR. LAVOIE: 9 Q. Okay. You thought — so your testimony is 10 he was attempting to put his arm around your 13:02:54 lishoulder? 10 he was attempting to put his arm around your 13:02:54 lishoulder? 12 A. Not shoulder, lower than that. I don't 13 know if you want to call it wast, like this kind of 14 side of things. 15 Q. Was he drunk? 13:03:07 lishoulder but his his held of 15 whole side of the body getting so close that we're 13:05:26 lishoulder but on think I get 17 Q. You're brushing up against each other? 18 who less side of the body getting so close that we're 13:05:20 lishoulder but on the had? 20 wareted to get away. But I also knew that within 3 like/tebray, as a worma, you're not saying please and 4 thank you enough, like the blume always comes on the 3 woman. So like I didn't feel like the blume always, our 12 testimony is that he tried to put his arm around 13 like the middle of your back, around your wais? 14 A. Hought have been week or like he was the within 3 like the middle of your back around your avoided? 14 interpretation? 20 was the dinner approximately? 21 lower than the was 22 like hoping to go home with you that night or go 23 have — like confirme the evening? Was that your 24 interpretation? 25 MS. BOURN: Calls for speculation. 13:06:05 Page 126 like how long. I felf long. 7 Q. When you left, was it dark outside or was 8 it still somewhat light? 9 A. I don't know long. I felf long. 7 Q. When you left, was it draw outside or was 8 it still somewhat light? 9 A. I don't know blong the felf long. 13:04:04 like the middle of your back, around your wais? 14 felf with the like the middle of your back, around your wais? 14 felf with the like the middle of your back, around your wais? 14 felf with the like the middle of your back, around your wais? 14 felf with the like the middle of your back, around your wais? 14 felf with feel like he was trying to touch my out was 13:04:04 like the middle of your back, arou	5 and attempting to put their arm around you and I was 7 moving away.  8 BY MR. LAVOIE:  9 Q. Okay. You thought — so your testimony is 10 houder?  11 shoulder?  12 A. Not shoulder, lower than that. I don't 11 was 11 was 12 moved up and 1 you want to call it waist, like this kind of 14 side of things.  13 A. Not shoulder, lower than that. I don't 13 not with sign of 1 your want to call it waist, like this kind of 14 side of things.  15 Q. Was he drunt? 13:03:07 16 A. He had had wine. I didn't drink. I 19 say — I mean. I don't know. I don't think he drank 20 excessively so I wouldn't assume drunk. 13:03:28 17 Q. Vour'e brushing up against each other?  18 like — alcohol affects me quickly. And I wouldn't 19 say — I mean. I don't know. I don't think he drank 20 excessively so I wouldn't assume drunk. 13:03:28 12 Q. Do you have an estimate, just based on 22 your perception, of flow many glasses of wine he had?  22 A. I would say no more than two maybe. 24 Q. How long was the dinner approximately?  23 A. I would say no more than two maybe. 24 Q. How long was the dinner approximately?  24 Q. How long was the dinner approximately? 25 A. It was long. I remember like — well, I 13:03:38 Page 126  17 remember wanting — feeling like I was stuck and I 13:04:36 6 don't know how long. It felt long. 4 thank you enough, like the blame always comes on the 5 woman. So like I didn't feel like le ould leave. I 13:05:38 1 THE WITNESS: I don't know. But I thought — he even ing 6 like — so I definitely saw his behavior as a come-on. Whether he wanted — like 1 don't know how long. It felt long. 1 testimony is that he fried to put his arm around 13 like the middle of your back, around your wais? 14 A. Find glow and the page of middle of your back, around your wais? 14 I and keep enough distance between me and him, just 1 wash — definitely wasn't trying to touch my bettom or 17 my shoulders but somewhere in between. 18 Q. A. From what I remember, I'm trying to walk 12 and keep enough distance between me and him, just 1 and keep enough dis	
7   Trying to do and you prevented him from doing that?	7 trying to do and you prevented him from doing that? 8 PY MR. LAVOIE: 9 Q. Okay. You thought so your testimony is 10 he was attempting to put his arm around your 13:02:54 11 shoulder? 22 A. Not shoulder, lower than that. I don't 13 know if you want to call it waist, like this kind of 14 side of things. 15 Q. Was he drunk? 16 A. He had had wine. I didn't drink. 17 didn't feel comfortable enough to drink. I get 18 like alcohol affects me quickly. And I wouldn't 19 say I mean, I don't know. I don't think he drank 20 excessively so I wouldn't assume drunk. 19 say I mean, I don't know. I don't think he drank 20 excessively so I wouldn't assume drunk. 21 Q. Do you have an estimate, just based on 22 your perception, of how many glasses of wine had? 23 A. I would say no more than two maybe. 24 Q. How long was the dimer approximately? 25 A. It was long. I remember like well, I 3:03:35 Page 126  1 remember wanting feeling like I was stuck and I wouldn't shaled to get away. But I also knew that within 3 BlackBerry, as a woman, you're not saying please and 4 thank you enough, like the blame always comes on the 5 woman. So like I didn't feel like I could leave. I 3:03:55 6 don't know how long. If fell kind regility leads of the body getting so go lose that were like behavior as a come-on. Whether he wanted like 2 like home lawys comes on the 5 woman. So like I didn't feel like I could leave. I 3:03:55 6 don't know how long. If fell kind regility like it belance always comes on the 6 woman. So like I didn't feel like I could leave. I 3:04:24 16 didn't feel like he was trying to touch my bottom or 17 my shoulders but somewhare in between. 18 A. I was the definitely was thrying to touch my bettom or 17 my shoulders but somewhare in between. 19 not? 20 A. From what I remember. I'm trying to walk 21 and keep enough distance between me and him, just 22 like I would with amybody really. Diless it's like 23 a boyfriend or something. I'm not valkling that 24 close to them or maybe my nephew holding his hand. 25	3:05:10
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1	distance. So I do remember him having dinner with	13:07:21	1	Just so we're both on the same page about what your	13:09:58
2	John Chen more than once. I don't know how many		2	testimony is.	
3	times.		3	A. Yes.	
4	Q. You mean yourself and John Chen and/or		4	Q. How long after this experience of the	
5	just John Chen? 13:07:32		5	touching behavior did you say something or tell	13:10:08
6	A. When he joined, he was doing one-on-one		6	anyone about it, BlackBerry or not BlackBerry?	
7	dinners with anyone at least in the San Ramon		7	A. I definitely told John Chen right away	
8	office. And then there was like two or three I		8	because like I was panicking, oh, my God, I don't	
9	remember like more than one and then like that		9	want to travel with him. I don't want to be in a	
10	that he they would walk out together basically	13:07:46	10	situation where I need the job but I'm not	13:10:31
11	when he would go to the dinner. And then with me,		11	married, financially dependent on myself. I had	
12	when I would		12	invested a lot in my career as well. So I didn't	
13	(Reporter seeks clarification.)		13	want to be forced into a situation where I feel	
14	A. With me, I went over to his office and		14	unsafe again, so I told him right away.	
15	said, "Should we walk over to dinner together?"	13:08:01	15	Q. And, like, in person the next day at work,	13:10:50
16	Because that was the normal thing to do and I knew		16	on the phone, some other way?	
17	he was doing that with others. And he said, "Oh,		17	A. Definitely was in his office I told him.	
18	no, no, I want to go back to my hotel and freshen up		18	It would have been I definitely remember talking	
19	first." But it's not something he did with others.		19	to him in his office. Like I didn't go back to the	
20	But I remember distinctly when I came into the	13:08:17	20	office after work so it would have been the next	13:11:07
21	restaurant, he was just like all I could smell		21	day. I often caught up with him in the morning in	
22	was aftershave and his hair was gelled and slicked,		22	his office just to kind of check in before starting	
23	just looked different than how he did in the office.		23	the day. But I don't recall if I called him on the	
24	Q. So you recall like a face-to-face		24	way home as well, but I definitely told him as I saw	
25	conversation with him before the dinner where you	13:08:37 Page 130	25	him in his office the next day.	1:25 Page 132
1	went to his office to say, "You want to walk over	13:08:39	1	Q. When you described it to him, how much	13:11:29
2	together?" And he says, "I'm going to go freshen		2	detail did you share with him about the touching or	
3	know up"?		3	the attempted touching?	
4	A. Yes, exactly. So I went back to my office		4	A. Not all the specifics but, again, these	
5	and just did paperwork, because there's always like	13:08:49	5	aren't things I'm super comfortable talking about.	13:11:40
6	so much work to do.		6	Again, he doesn't have the appetite for it. He's	
7	Q. So I just want to make sure that we kind		7	just work, work. And so I described it in a little	
8	of nail down everything related to the touching. So		8	bit of detail and mostly talked about his behavior	
9	we I think we nailed down the two things that		9	was like overly it was unprofessional, making me	
10	were in the restaurant itself and I think you've	3:09:03	10	uncomfortable, and he was like leaning over the	13:12:01
11	described your allegations related to the touching		11	table. I would have described it at that level,	
12	as you left the dinner outside.		12	not, "Here's how he touched my hand."	
13	Was there any other touching or attempted		13	Q. But you definitely told him not just that	
14	touching by Mr. Giamatteo at any point in your		14	he had tried to touch you but that he had, in fact,	
15		3:09:21	15	touched you? You told John Chen that?	13:12:16
16	A. No. From my perspective you may not		16	A. I don't know if I used the word "touch."	
17			17	I'm thinking of how I know myself. I'm not the most	
18	put myself in an unsafe situation again. Once I		18	comfortable talking about these things. And he's	
10	know something is unsafe, I'm going to try and stay		19	pretty clear he's not comfortable he's not open	
19			20	to these conversations. But I definitely told him	13:12:30
	away from it. 13:09:45			•	
19			21	he was getting too close and it was making me	
19 20	away from it. 13:09:45		21 22	ne was getting too close and it was making me uncomfortable. And I don't feel comfortable or safe	
19 20 21	away from it. 13:09:45  Q. So it's those three kind of categories of				
19 20 21 22	away from it. 13:09:45  Q. So it's those three kind of categories of touching or attempting touching that we've discussed		22	uncomfortable. And I don't feel comfortable or safe at all being in a one-on-one meeting with him or at	
19 20 21 22 23	away from it. 13:09:45  Q. So it's those three kind of categories of touching or attempting touching that we've discussed and nothing more than that; correct?	13:09:56	22 23 24	uncomfortable. And I don't feel comfortable or safe at all being in a one-on-one meeting with him or at	13:12:46

	going to be put in that situation.	2:49	1	that something that originated at that dinner?	13:15:51
2	Q. Did you get emotional at all whenever you		2	A. It was the first one-on-one meeting I had	
3	told John Chen about this?		3	with him before the dinner, so it was in his office	
4	A. I didn't cry, no.		4	in San Ramon.	
5	Q. Were you emotional at all short of crying?	13:12:58	5	Q. So it was sometime between when he started	13:16:01
6	A. That company, it was just there was so		6	in, let's say, early October and the dinner,	
7	many bad experiences. You have to stay strong,		7	whenever the dinner was?	
8	particularly as a woman. If you break down, they		8	A. So he started I remember having the	
9	use that against you. She's not capable to be an		9	one-on-one when he started remember okay.	
10	executive, because he's crying, or whatever else,	13:13:15	10	I'll take a step back. 13:16:16	
11	things like that. So I was not like I didn't		11	I remember John Chen saying that one of	
12	feel like I had the ability to be like that, no.		12	the issues he had with the prior president of that	
13	Q. Did you ever, after that dinner that we've		13	BU was that the guy joined during COVID so they	
14	been describing, or that you've been testifying		14	didn't get a lot of face time together. So he was	
15	about, I should say, did you ever have another	13:13:31	15	really wanted to make sure that Giamatteo was	13:16:34
16	one-on-one meal with John Giamatteo?		16	coming into the San Ramon office regularly. I think	
17	A. No.		17	they agreed that it would be every other week or	
18	Q. I would like you to just try to remember		18	something. He thought that was a big part of why	
19	for me every person that you told about this within		19	the prior president and Chen things didn't go	
20	a week or two of it happening, the dinner and the	13:13:50	20		6:52
21	touching.		21	So I remember Giamatteo coming into the	
22	Like other than John Chen, who else did		22	office he was there I think the first week when	
23	you tell?		23	he was announced, or at least the second week, so	
24	A. I don't know sequence but I know I've told		24	early on. And that was my first one-on-one with	
25		13:14:06 Page 134	25	him. And the dinner, it was either that evening or	13:17:04 Page 130
1	timing. My sister, my friend. 13:1	4:11	1	the next day or something but it was in the same	13:17:08
2	Q. Which friend?		2	time frame.	
3	A. My friend Sunny.		3	Q. The same trip that he took out to San	
4	Who else have I talked to about it? These				
	THE SIDE HAVE I WHILE WE WOUNT IN THESE		4	Ramon? Like he would come out to San Ramon	
5		:14:33	5		13:17:17
5 6		:14:33	5		13:17:17
6	are the names that spring to mind.	:14:33	5	occasionally. It's your recollection it was like	13:17:17
6 7	are the names that spring to mind. 13  Q. And all of those, your best estimate is	:14:33	5 6 7	occasionally. It's your recollection it was like the first time he came to San Ramon?	13:17:17
6 7	are the names that spring to mind.  Q. And all of those, your best estimate is that you spoke to those people relatively soon after	:14:33	5 6 7	occasionally. It's your recollection it was like the first time he came to San Ramon?  A. If I remember it correctly, it was like	13:17:17
6 7 8 9	are the names that spring to mind. 13 Q. And all of those, your best estimate is that you spoke to those people relatively soon after it happened?	:14:33	5 6 7 8 9	occasionally. It's your recollection it was like the first time he came to San Ramon?  A. If I remember it correctly, it was like super early.	
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	are the names that spring to mind.  Q. And all of those, your best estimate is that you spoke to those people relatively soon after it happened?  A. Yeah.  Q. Like within how much time would you say?  A. So my boss, John Chen at the time, as I said, within 24 hours; sister, her and I talk like nearly daily so similar; friend Sunny, he and I don't talk every day. He's in the UK. Like a week or two something like that. Capelli, within one or two one week probably. I don't remember exactly but he's like he's someone who was like I felt like he was really a fair person and like treated everybody fairly, so I felt safe with him. Didn't think he was biased or part of the boys' club.  And then Steve Rai I think was a bit later because I was bringing it up when I was more frustrated about the additional behaviors that kept	13:14:43 13:15:08	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	occasionally. It's your recollection it was like the first time he came to San Ramon?  A. If I remember it correctly, it was like super early.  Q. And you met him in the office and then you had the dinner with him during his same visit to San Ramon?  A. It was the same one or the following week. Super close. It could have been the same day, to be honest with you. I don't remember.  Q. And tell me we'll put a pin in that.  We'll come back to that meeting.  Your friend Sunny, you've produced a number of text messages with him in this case.  How did you tell him about this experience with the touching? Was it by text, by phone?  A. We basically talk on the phone. I'm not big on like texting. I have to do so much e-mail in	13:17:28 3:17:39 13:17:56

	Because that's normally how long meetings are 13:	:22:50	1	initiate a conversation around like what your role	13:25:27
2	scheduled for, so I don't know.		2	was and what you were doing. And almost immedia	itely
3	Q. Describe to me you said that the travel		3	he pivots to, "You can report to me and we can	
4	together concept arose during this very first		4	travel together."	
5	one-on-one meeting that you had with him. 13:2	23:00	5	Am I summing up your recollection	13:25:36
6	Can you describe everything you remember		6	correctly?	
7	about how that came up?		7	A. Correct, yeah.	
8	A. I remember walking into his office and he		8	Q. So when he said, "You can report to me,"	
9	was at his like in his office there's like a desk		9	you're sure he said that like, "You can report to	
10	with the screen and all those kind of things and a 13:2	23:16	10	me"? 13:25:49	
11	table and chairs for like small meetings, maybe like		11	A. Yeah.	
12	two to four chairs in there, small. And sat down he		12	Q. And then, "We can travel together." Like	
13	came over and sat down and said, "Are you Indian?"		13	did you in the moment, did you interpret that to	
14	I don't know if he said, Oh, or those		14	mean we'll, like, go to like an exotic island or	
15	words but he asked me if I'm Indian. And I said 13:2	23:35	15	some romantic location together? Is that what you	13:26:03
16	yes. I was like at least say hello or something		16	interpreted it to mean?	
17	first or nice to meet me. It was literally the		17	A. I didn't really have thoughts about what	
18	first thing. I remember it clearly. I thought it		18	location he was thinking about, an island versus	
19	was strange, that's the first thing that somebody		19	like a city. I don't know. Certainly didn't have	
20	would say to me. 13:23:48		20	those thoughts. But I did think I'm trying to	13:26:18
21	And then like he didn't ask me anything		21	talk about work and he is not entertaining that	
22	about my career or my interests, like there was no		22	conversation and behaving in a way that's kind of	
23	real conversation, but I remember him pretty		23	the weird vibes that you get from a person sometime	es
24	straight going into like I asked him, "Can I take		24	and just keeps taking the conversation to things	
25	you through like what we've been doing on the elite 13	3:24:11 age 142	25		13:26:39 Page 144
1	customer side? It would be great to have a strong 13:	24:15	1	what does that matter? Why would I want I told	13:26:43
2	partnership," like just trying to be professional		2	him like I'm working for the CEO. What would be	a
3	and transparent and open. I think collaboration in		3	compelling reason for me to what I would see as	
4	general is like the best way to do one's job and		4	taking a step down, like what's the reason for it?	
5	makes work a little bit more enjoyable too. 13:24	:28	5	And he's like, "Oh, so we can travel 1	3:26:57
6	Didn't entertain that conversation and		6	together." That's not a reason. Like is there a	
7	just said, like, you could report to me and we could		7	job scope, maybe I could get a new experience in	
8	travel together. I don't remember the exact words		8	something I haven't done before. There's nothing;	
9	but it was literally as blunt and as basic as that.		9	just so we can travel together.	
10	Go ahead. 13:24:46		10	Q. So he didn't elaborate in any way at all	13:27:09
11	Q. Within like how many minutes of this		11	about what the benefits of traveling together would	
12	30-minute or hour-long conversation did he first		12	be?	
13	say, "You can report to me and we can travel		13	A. No. And I remember I had prepared slides	
14	together"?		14	because I was like, oh, I want to start off on it	
15	A. I remember it being in the top of the 13:24:5	66	15	being super open, because transparency creates	13:27:25
	conversation so in my mind, from what I remember, it		16	trust, so I prepared slides, like here's the	
16	-		17	customers I'm responsible for, love to share	
16 17	was like the first five minutes maybe.		18	learning from them, especially from the big	
	·				
17	Q. And was it your impression did he say		19	customers you learn a lot from them what tech buye	rs
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15 brought up to speed on the business. I didn't get 16 any of that from him in my meeting. 17 Q. Yeah, although I guess - are you 18 saying - I guess I'm just saying, what informed 19 your perception in the moment that he's saying it. 20 that when he says. "We can go travel together," that 21 there's no way he means." We can go travel together," that 22 shents together, what he means is we'll go and 23 spend time romantically together, like what was it 24 that made you perceive it that way at the time? 25 A. So I was trying to take the conversation 18 they because I good for me, how 13:29:18 10 to work topics. He just was not engaging at all. 11 to work topics. He just was not engaging at all. 12 It was just radio silence. And then when I said, I all in your role, like a step back for me because I 15 report to the CEO now. That feels good for me, how 13:29:37 16 old am I, I'm in my 30s, reporting to a CEO, it's an 17 achievement for me at least anyway. 18 Like I said, what's the compelling reason 19 for me to report to you? Do you want to know about 10 my career history, like a little bit about what I'm 11 my career history, like a little bit about what I'm 12 are the gaps on your team? Didn't give me anything. 13 There was absolutely nothing. 14 Q. So I'm just trying to get at the full 15 basis for your perception in the moment that when he 16 talk about business, he wouldn't engage on that and 19 the time was during that conversation you tried to 20 talk about business, he wouldn't engage on that and 19 the time was during that conversation in the office did he mention the 21 conversation in the office did he mention the 22 comment was not about business travel, it was about 23 romantic travel. 24 Am I summarizing that fairly? 25 A. There was a -go ahead. 26 travel to gether, he meant that when he 27 talking apout work to time unmistakable. 28 travel together, he meant romantic travel, not 13:32:05 29 understanding at the time? 20 Like at the meeting were you ulready thinking that 21 the travel together, the	13	about what the job is and what had they heard from	13	to work together and like you know, I wanted to	
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17   Wanted to give that impression but he wasn't even   18 saying - I guess I'm just saying, what informed   19 your perception in the moment that he's saying it.   20 that when he says. "We can go travel together," that   13:28:59   21 there's no way he means. "We can go meet with   22 clients together," what he means is we'll go and   23 spend time romantically together, like what was it   23   24 that made you perceive it that way at the time?   25   A. So I was trying to take the conversation   13:29:18   Page 146   25 travel together, be time to report to you, not you as an individual   4 in your role, like a step back for me because I   5 report to the CEO now. That feels good for me, how   6 old am I, I'm in my 30s, reporting to a CEO, if's an   7 achievement for me at least anyway.   8   Like I said, what's the compelling reason   6 for me to report to you? Do you want to know about   10 my career history, like a little bit about what I'm   13:29:56   11 interested in, what I've done before or not, what   12 are the gaps on your team? Didn't give me anything.   13 there was absolutely nothing.   13 there was absolutely nothing.   14   A. More than once. I guess you could say two   15 or three maybe. Not more than that maybe probably.   13:32:29   16 the conversation. I don't think he even   13:30:41   18 the conversation has been defined in the conversation. I don't think he even   13:31:50   20 was responsible for. Nothing, I just remember it   13:31:50   20 was responsible for. Nothing, I just remember it   13:31:50   21 the sing super strange. What just happened? I just   23 on was responsible for. Nothing, I just remember it   13:31:50   22 didn't get it.   23 on was responsible for. Nothing, I just remember it   13:32:02   23 on was responsible for. Nothing, I just remember it   13:32:02   24 inderest state the ime unmistakable.   25 travel together, he meant romantic travel, not   13:32:02   24 understanding at the time?   24 understanding at the time?   25 understanding at the time?   26 underst	15	brought up to speed on the business. I didn't get 13:28:46	15	You can know anything about what we're	13:31:36
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1			dinner, anything about touching, anything about a	15:48:16
2		2	sexual advance. You didn't mention anything like	
3	1	3	this with your friend on January 20th, did you?	
4		4	MS. BOURN: Asked and answered four times.	
5	Q. So does that refresh your recollection 15:46:46	5	THE WITNESS: I've only provided new	15:48:24
6	that you have referred to Mr. Giamatteo as a piece	6	information in this text.	
7	of shit?	7	BY MR. LAVOIE:	
8	A. I didn't say I hadn't but previously I	8	Q. You're very careful to just keep it to the	
9	believe I expressed that based on the context.	9	new information without any overlap in past events?	
10	Having a human expression with a close friend is not 15:46:57	10	MS. BOURN: There's no question pending.	15:48:35
11	a problem and I may have said that, yes.	11	BY MR. LAVOIE:	
12	Q. Again, in this text on January 20th, 2022,	12	Q. That's my question. That's a	
13	you don't mention anything about the traveling	13	clarification.	
14	together concept; correct?	14	MS. BOURN: That's not a question. It's a	
15	A. Not something that you bring up every day. 15:47:14	15	statement by you. Make a question.	5:48:38
16	Q. Did you mention it in this text exchange	16	BY MR. LAVOIE:	
17	on January 20th or did you not?	17	Q. When you were communicating with your	
18	MS. BOURN: The document speaks for itself.	18	friend Sunny, you were careful to just always make	
19	BY MR. LAVOIE:	19	sure that your spontaneous communications with her	
20	Q. Did you mention it or did you not during 15:47:23	20	via text only captured new information and didn't	15:48:49
21	this text?	21	refer back to any information you had previously	
22	MS. BOURN: Argumentative.	22	shared; correct?	
23	THE WITNESS: I've mentioned it plenty of times	23	That's what you're saying?	
24	so this one text is not kind of encompassing of	24	MS. BOURN: Argumentative.	
25	everything. 15:47:33 Page 210	25	I'm going to instruct you not to answer.	5:48:56 Page 212
1	BY MR. LAVOIE: 15:47:33	1	You've asked the question four times. The	15:48:58
2	Q. You didn't mention it in this text, the	2	document speaks for itself. I'm going to instruct	
3	concept of traveling together; correct?	3	her not to answer.	
4	MS. BOURN: The document speaks for itself.	4	BY MR. LAVOIE:	
5	THE WITNESS: My friend, who I speak with 15:47:39	5	Q. Are you going to follow that instruction?	15:49:02
6	regularly, already knew all of the context between	6	MS. BOURN: Yes, you are going to follow my	
7	Giamatteo and I, so it's not something I need to	7	instruction.	
	repeat. I'm just giving him the new information,	8	MR. LAVOIE: And you're instructing the witness	
9		9	not to answer because you think it's been asked and	
10	BY MR. LAVOIE: 15:47:52	10	answered? 15:49:13	
11	Q. And you didn't mention traveling together	11	MS. BOURN: Because you're harassing her.	
12	, ,	12	You're yelling. You're shaking the paper. The	
13	MR. LAVOIE: I'm going to move to strike the	13	document speaks for itself. You've asked her six	
14	last answer as nonresponsive.	14	times now and this is just harassment at this point.	
15	BY MR. LAVOIE: 15:47:55	15	That's enough. Move on. Ask a question that means	15:49:22
16	Q. You didn't mention it in this set of texts	16	something legally.	
17		17	MR. LAVOIE: The record speaks for itself,	
18	MS. BOURN: Asked and answered. The document	18	Maria. I'm not harassing your witness.	
19	speaks for itself.	19	MS. BOURN: Yes, you are. You are very	
20	THE WITNESS: I only provided new information. 15:48:02	20	aggressive with her and it's totally unnecessary and	15:49:34
21	BY MR. LAVOIE:	21	inappropriate and a judge will not allow this in	
22	Q. And you didn't mention anything about	22	court. You're now laughing so the record will	
23	dinner or touching or anything like that in this	23	reflect that you're laughing and smiling.	
1	text exchange with your friend Sunny on	24	MR. LAVOIE: I think you're being	
24		1	, .	
24	January 20th, 2022. You didn't mention either the 15:48:12	25	inappropriate. 15:49:45	

1	MS. BOURN: You've been in a deposition	15:49:45			52:30
2	harassing a sexual harassment victim and yelling		2	Is that October 2021?	
3	about her regarding a text message that says what it		3	A. Yes.	
4	says. Like that's just inappropriate. Like come		4	Q. And had you attended any of these meeti	_
5	on. 15:49:57		5	at all during this period from October 2021 to	15:52:37
6	MR. LAVOIE: Maria, I'm not going to engage		6	March 20th, 2022?	
	further.		7	A. Not that I recall.	
8	MS. BOURN: Get to facts in the case that		8	Q. These are John Giamatteo's weekly	
9	matter.		9	cybersecurity business unit meetings; correct?	
10	MR. LAVOIE: I'm not going to engage further	15:50:02	10	A. I believe so. 15:52	:50
11	with this on the record. This is just my		11	Q. And you're telling your friend that the	
12	examination.		12	reason that you haven't been attending his meeting	_
13	MS. BOURN: Right. Be appropriate and don't be		13	from October 2021 through March of 2022 is be	cause
14	abusive. This woman has been abused for years by		14	you hadn't gotten the invitations; correct?	
15	this company that you represent and now you're	15:50:11	15	A. That's what I'm relaying, yes.	15:53:06
16	smiling, too. Do you think it's funny? Do you		16	Q. And that was true at the time that you	
17	think sexual harassment is funny?		17	said it to your friend; correct?	
18	MR. LAVOIE: Maria, this is beyond the pale.		18	A. Yeah. It was true at some point. I	
19	This is beyond the pale, beyond the pale.		19	definitely had a conversation with John Giamatte	eo
20	MS. BOURN: Absolutely. I'm not going to allow	15:50:21	20	about it. 15:53:20	)
21	you to sit here and harass her after years of B.S.		21	MR. LAVOIE: Okay. Let's look at Tab 23.	
22	that she went through. That's not happening, not		22	(Deposition Exhibit 21 was marked.)	
23	with me sitting here. Ask a question that means		23	MS. BOURN: Defendant's 21, Bates labeled	19951
24	something and move on.		24	through 19963.	
25	MR. LAVOIE: Maria, your behavior is completely	15:50:33 Page 214	3 25	BY MR. LAVOIE:	15:54:00 Page 216
1	inappropriate. 15:50:35		1	Q. So this is an e-mail exchange and I'll	15:54:01
2	MS. BOURN: Yours is. It's not funny. It is			just direct your attention to the top of the first	13.34.01
	not funny. There is nothing funny about this.		3	page of Exhibit 21. And you write to Mr. Giama	itteo
4	MR. LAVOIE: Okay.		4	on November 18th, 2021, in the middle of that fi	
5	Okay, let's look at 25H. 15:51:04		5	page saying you'll "look out for the invite of you	
6	(Deposition Exhibit 20 was marked.)			meeting and join whenever I can."	1 13.34.14
7	MS. BOURN: Defendant's 20 is 1535.		7	Do you see that?	
\ \ \ \ \ \ \	BY MR. LAVOIE:		8	A. Yes.	
9			9	Q. And then the next message is also from y	
	Q. So Exhibit 20 is another text exchange you	15.51.50	١	•	
l	had with your friend Sunny. And if you look in the	15:51:50	10	on January 20th, 2022. This is a little bit later	15:54:30
11	middle of the first page, on March 20th, 2022, you		11	in the day that you met with Mr. Giamatteo on	
12	write, "Choppers being an ahole, so I guess same		12	January 20th, 2022.	
13	old." "For example, he told Jay" that's John		13	Do you see that?	
14	Chen; right?		14	A. Yes. This is after he had complained to	15.54.40
15	A. Yes. 15:52:06		15	me that I had not been joining his meetings. And	11 15:54:42
16	Q "I haven't been attending his team		16	had heard from John Chen that I was not	
17	weekly meetings. Well, he never sent me the invite		17	collaborative. And I said to him that I said to	
18	and I asked a few times for it. He kept saying		18	Giamatteo that I had not received the invite. I've	;
19	he'll send it (since October) but didn't."		19	asked for it a few times. And that was another	
20	Do you see that? 15:52:16		20	example where he was wide-eyed, because he was	
21	A. Yes.		21	expecting me to be my assumption is he wasn'	
22	Q. Is this what you're referring to in your		22	expecting me to be so forthright and he got called	d
23	complaint about being excluded from meetings?		23	out.	
24	A. It's one example.		24	Q. And when you told him that, he said that	
25	Q. And this is on March 20th, 2022, and you	15:52:26 Page 215	25	it wasn't intentionally that you hadn't gotten the	15:55:17 Page 217

15:58:20 15:58:38
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1	Q. You don't know one way or another?	3:51	1	Q. How did you document that you raised it	16:21:10
2	A. I don't know.		2	with him?	
3	Q. And to your understanding, no one replaced		3	A. I had conversations with the CEO. That's	
4	you as chief elite customer success officer at		4	the	
5	BlackBerry; correct? 16:19:03		5	Q. Well, I'm asking a different question.	6:21:17
6	MS. BOURN: Calls for speculation.		6	Did you document in any way? Can you	
7	THE WITNESS: I don't know.		7	point me to a document or a communication where yo	ou
8	BY MR. LAVOIE:		8	raised this alleged sexual advance with John Chen?	
9	Q. You don't know? Okay.		9	A. Where I raised it with him? I don't	
10	You don't have any evidence that today 16:19:	09	10	recall. I mean I've given my lawyers a bunch of	16:21:31
11	there's someone with a title of chief marketing		11	documents, but I definitely know I've spoken to John	
12	officer or chief elite customer success officer at		12	Chen about it a numbers of times. Once you tell the	
13	BlackBerry? You're not aware of that?		13	CEO something, he has a responsibility or she in	
14	MS. BOURN: Calls for a legal conclusion, calls		14	this case it was a he has a responsibility to do	
15	for speculation. 16:19:23		15	something about it. 16:21:49	
16	THE WITNESS: I have no idea.		16	Q. So my question is just very simple, are	
17	BY MR. LAVOIE:		17	you aware of any e-mail or other document in writing	
18	Q. When you were testifying before about		18	in which you communicated with John Chen anything	5
19	disclosing or the day after the dinner talking to		19	about this travel together, sexual advance,	
20	John Chen about it, do you remember that testimony?	16:19:36	20	touching? Are you aware of any document in which	16:22:0
21	A. Yes.		21	you put that before John Chen or are you not?	
22	Q. And you testified that John Chen generally		22	A. I don't recall. I've given all the	
23	didn't really want to have conversations about these		23	documents I have to Maria and the team. So that	
24	types of things. Is that like personnel you		24	would be a question for them. But in terms of my	
25	, , , ,	19:49 ige 222	25	communication with John Chen, a lot of it was verbal	16:22:21 Page 224
1	you're referring to, that he didn't want to have 16:19:	53	1	in general, not just on this topic. That was just	16:22:24
2	discussions about?		2	the nature of the beast I guess.	
3	A. Anything personnel wise, always just more		3	Q. You made various how many times across	
4	focused on the work itself.		4	your career at BlackBerry would you estimate that	
5	Q. Did you ever talk to John Chen about the 16:20	0:07	5	you submitted some form of complaint to the HR	16:22:40
6	topic again? Did you ever bring it up again, the		6	department?	
7	dinner, the travel together comment, anything like		7	A. The first few years of my career I would	
8	that?		8	say really none, from what I recall, but obviously	
9	A. Yes. When the retaliation started and		9	that was a long time ago. After I moved to	
10	continued, so I brought up with him again that I 16:2	0:20	10	California and began reporting directly to John	16:22:59
11	felt that that was I was being treated this way		11	Chen, and that's when I started facing some gender	
12	and I felt that it was because I had turned down		12	discrimination and other sexual harassment type of	
13	John Giamatteo's sexual advances.		13	experiences.	
14	Q. And you did that just orally with John		14	So it was really after that that I	
15		:20:35	15	submitted complaints sometimes to John Chen. I	16:23:14
	it up with him?		16	can't remember if I did to HR. If I did, it would	
17	A. I don't remember exactly but that would be		17	be maybe once or twice. I don't recall exactly, but	
18	my best guess, yes.		18	that should be in my personnel file if you've got a	
19	Q. And how many times did you bring it up		19	copy of that.	
20		20:47	20	**	16:23:33
21	advance let's say?	/	21	the one time that you brought this situation about	,,
22	A. Quite a few times, especially as the		22	the sexual advance up to him, he told you to go and	
23	conversations about reducing my role came up. That		23	tell HR about it.	
24	for me was extreme retaliation and so I brought it		24	Did you do that?	
25			25	A. I spoke with him more than once. He did	16:23:45
		ige 223		1	Page 225

1	suggest to me I could go to HR. My feedback to him 16:23:49	1	The top of the text exchange is sort of where the 16:26:42
2	was twofold or threefold. One is, "I said I told	2	newer stuff comes in. So it's kind of mish-mashing
3	you and I expect you to handle it," because the	3	two situations or events together, so XYZ was
4	prior time I had gone to HR about something that was	4	previous.
5	a sexual harassment was my experience with . 16:24:06	5	Q. But is it true that at any point in time 16:27:00
6	And the feedback I get back from that from HR was	6	you told John Chen that Choppers, John Giamatteo,
7	, whilst he is in the security team, he's	7	may be okay but you need time to determine that?
8	not there to protect me he's not there to make me	8	Did you ever tell John Chen that at any point in
9	feel safe was the feedback I got from HR. And so	9	time?
10	I just would like to answer. 16:24:28	10	A. Prior to the dinner with my first 16:27:15
11	He's not there to make we feel safe and I	11	experience with Giamatteo, which made me feel
12	was told that this is by Nita White-Ivy, that in	12	uncomfortable, I said to John Chen because I have
13	her career experience as a woman, it's been very	13	to be measured. I've only met the person for the
14	difficult. And her advice to me is as a woman in a	14	first time. And, again, I don't want to be labeled
15	corporate environment, don't smile, don't make 16:24:44	15	the difficult one. Within BlackBerry, raising 16:27:29
16	jokes. Men see it as an opportunity or turn-on or	16	sexual harassment was not taken favorably. Women,
17	come-on and also dress like a man. That was her	17	from my experience, were not supported. So I wanted
18	advice to me.	18	to come across measured to John Chen not be like
19	So I told John Chen I don't feel	19	this guy sexually harassed me. I can't work with
20	comfortable bringing these things up to HR again so 16:24:58	20	him. John Chen would take me more seriously like if 16:27:4
21	I expect him to handle it. And also I said I don't	21	I'm coming across like I'm being more thoughtful
22	have repeat something in writing from Giamatteo	22	about the situation.
23	so it would be HR will give me advice like they did	23	Q. Just to be clear, when you're writing to
	before or it will become like a he said/she said	24	Sunny on January 6th, 2022, and you're saying, "I
25	kind of thing and I don't want to go through what I 16:25:14 Page 226	25	told John that Choppers may be okay and I need time 16:27:5 Page 228
1	went through last time. 16:25:18	1	to determine first. The first time I met, he asked 16:28:04
2		2	me if I'm Indian. He told me the joke about being a
3		3	dirty old man," and like you go blow by blow; right?
4	` <del>`</del>	4	A. Yeah.
5		5	Q. You're describing a conversation that you 16:28:09
6		-	had with John Chen when?
7	•	7	A. Previously. That's where the XYZ.
ر ا		\ \ \ \ \	·
9	be the first page so it starts at the top with January 6th, 2022.	9	Q. So you're saying Sunny, this person I share everything with contemporaneously, I'm telling
	•	١	you about a conversation I had with the CEO about 16:28:23
10 11		10	this dinner with John Giamatteo. This is a
12	Q. So this is another text exchange with	12	conversation I had with the CEO like two or three
	Sunny. This one is January 6th, 2022, and you write		
13		13	A. No. I think you're misunderstanding. So
	·	14	
15	11 ,	15	John Chen called me in January after I had again 16:28:32
16	-	16	gone to him and said like shared more information
17		17	about how I was being treated by John Giamatteo.
18	Q. And then turn it to the back where you	18	And then my friend Sunny says like previously, I
19		19	thought this is like him saying, "Previously I
20		20	thought you said Choppers had said something to 16:28:49
21	Choppers may be okay but I need time to determine	21	him."
22		22	And I said, "Oh, the X, Y, Z part," that
23	Is that true? Did you tell John Chen that	23	was like historical conversation I've had. He's
24	in January of 2022?	24	trying to remember previous facts so I'm recounting
25	A. No. The XYZ piece was from historical. 16:26:38 Page 227	25	the previous facts to him. 16:29:04 Page 229

1 created distance. He eventually separated the 16:33:16	1	compound. 16:35:42	
2 accounts that we had and created the separation, the	2	THE WITNESS: Both.	
3 MAP documents as well, but that's as far as I saw	3	BY MR. LAVOIE:	
4 him do something.	4	Q. And based on race discrimination or sex	
5 Q. When those accounts were reassigned, who 16:33:34	5	discrimination or both? 16:35:51	
6 made who made the decision as to which customers	6	A. Sexual harassment retaliation for	
7 were going to go who? Was that John Chen who made	7	reporting that and gender discrimination.	
8 that decision ultimately?	8	Q. So you're not contending that you were	
9 A. I know there's dialogue between Giamatteo	9	terminated because of your race?	
10 and Chen. I don't know who made the decision. 16:33:48	10	A. I mean hard to say. I don't know. I 16:3	6:10
Q. So it may have been Giamatteo who made the	11	mean, all the players were white males.	
12 decision, not the CEO of the company, as to whose	12	Q. This is your lawsuit. You get to define	
13 where the customers were going to be as between	13	the allegations.	
14 elite and cyber? That's your testimony?	14	Are you contending in this case that one	
15 MS. BOURN: Calls for speculation. 16:34:00	15	of the reasons you were fired was because of your	16:36:20
16 THE WITNESS: It could have been, yes.	16	race?	
17 BY MR. LAVOIE:	17	A. It is a possibility.	
18 Q. And is it do you contend that John Chen	18	Q. You don't know whether I'm not	
19 retaliated against you and one way in which he	19	asking I'm saying, are you contending that in	
20 retaliated against you was by changing the customer 16:34:14		this case, that you were fired based on your race?	16:36:30
21 accounts?	21	MS. BOURN: Calls for a legal conclusion.	
22 A. He was being highly pressured by Giamatteo	22	THE WITNESS: My answer is what it is. I think	
23 on a regular basis. And John Chen told me that, as	23	there's a possibility.	
24 the company is not doing well, he's being told by	24	BY MR. LAVOIE:	
25 Tim Foote, who is in charge of investor relations, 16:34:30 Page 234	25	Q. So what conduct did you engage in that you	16:36:41 Page 236
1 that if he makes a change on the president of the 16:34:34	1	believe the company fired you in response to?	16:36:43
2 cyber BU role, the investors will kick up a fuss and	2	A. I spoke well first off, I turned down	
3 John Chen will lose his job. So he told me he was	3	John Giamatteo's advances back in October of 2021.	
4 stuck between a rock and a hard place and he	4	He, following that, threatened me and told me if I	
5 couldn't make the move to axe John Giamatteo because 16:34:45	5	didn't give into his sexual advances, he would ruin	16:37:02
6 investors would just, I guess, abandon the company	6	my career. For the next period of two years he	
7 and he would lose his job.	7	harassed me, told people he was working on getting	
8 Q. So your testimony is that John Chen didn't	8	me out of the company. And then when it came to the	
9 retaliate against you because he wanted to but he	9	time around where he was appointed CEO, I was asked	
10 was just a rubber stamp for John Giamatteo's 16:34:59	10	by the company to speak to this outside law firm or	16:37:21
11 retaliation against you?	11	investigators, MoFo, Morrison & Foerster.	
12 MS. BOURN: Misstates testimony, calls for	12	And I did that. And I believe two things:	
13 speculation.	13	One, I was retaliated against for that testimony;	
14 THE WITNESS: I am saying that John Chen I'm	14	two, Giamatteo wanted me out of the company and it	
15 telling you what John Chen told me. That's all I 16:35:14	15	was very clear about that. And he would not sign	16:37:41
16 know from a facts perspective.	16	his contract as CEO until I was fired which the	
17 BY MR. LAVOIE:	17	dates show the dates back that up.	
18 Q. So you allege discrimination and	18	Q. So I was asking very specifically about	
19 retaliation in this lawsuit. I'm going to ask you	19	what conduct you engaged in that you believe the	
20 some specific questions about employment actions and 16:35:25	20	company fired you in response so. So what you did	16:37:53
21 whether you believe that they were taken against you	21	you contend the company fired you for. So, one, you	
22 because of discrimination or retaliation.	22	said you rebuffed the sexual advances; and then,	
Do you believe that your termination was	23	two, you made a complaint to the outside law firm	
24 because of retaliation, discrimination or both?	24	that was investigating Mr. Giamatteo. Those are two	
25 MS. BOURN: Calls for a legal conclusion, 16:35:40 Page 23:	25	things; right? You say you did those things and the	16:38:10 Page 237

1	company fired you for it; right? 16:38:13	1	the company software history. Didn't get a 16:41:19
2	A. I was asked to give a testimony. I didn't	2	pretty much a single note of congratulations after
3		3	closing that deal, where the men would congratulate
	it and I gave it, and so I was retaliated against	4	each other and pat themselves on the back after
	for that testimony. 16:38:24	5	closing \$100,000, a smaller deal. 16:41:32
6	Q. Anything else that you did that you	6	After closing that deal, my role was
	contend caused the company to fire you, any conduct	7	•
8	that you engaged in other than rebuffing John	8	same. Wasn't paid on commission on that deal
9	Giamatteo's advances and giving statements to the	9	either, so I didn't get paid appropriately for it.
	law firm investigating Mr. Giamatteo? 16:38:39		Like I said, the list goes on and on and on. 16:41:51
11	MS. BOURN: Calls for a legal conclusion, calls	10	BY MR. LAVOIE:
		11	
12	for contention legal conclusion, calls for a	12	Q. So a lot of bad things happened to you,
13	narrative. And just a bad question.	13	you contend at the company.
14	THE WITNESS: Those are the two big things.	14	You think other people were treated better
	BY MR. LAVOIE: 16:38:55	15	than you? 16:42:00
16	Q. So you've testified that you think that	16	A. Men specifically.
17	your termination was based on discrimination because	17	Q. All men were treated better than you at
18	you're a woman, so you were fired because you're a	18	the company. That's your testimony.
19	woman. You may have been fired because of your	19	A. That wasn't my testimony. It was not
20	race. 16:39:28	20	other people. The people who were treated better 16:42:09
21	What facts make you believe that you were	21	the men I've described, all the people who are
22	fired because you're a woman or because you're a	22	who I've mentioned who were harassing me. And
23	woman of color?	23	eventually the reason I got fired were men. And men
24	MS. BOURN: Calls for a legal conclusion.	24	were, like Giamatteo, promoted despite killing his
25	Calls for a legal contention and violation of the 16:39:39 Page 238	25	business in silence, had to be sold at the end of Page 240
1	Rifkind case 16:39:45	1	it. And he got promoted to CEO. So it wasn't a 16:42:34
2	Let me finish my objection.	2	fair organization towards women at all.
3	Calls for a narrative.	3	Q. The board didn't decide to extend John
4	But you can answer.	4	Chen.
5	THE WITNESS: So many things. There are so 16:39:50	5	Is that because he was a man, because he 16:42:47
6	many examples of how I was treated differently	6	was a person of color?
7	because I'm a woman and wasn't part of the boys'	7	MS. BOURN: Calls for speculation.
8	club. I was paid unfairly. I wasn't given a pay	8	BY MR. LAVOIE:
9	raise when I was made CMO. I was like from	9	Q. Like people get let go based on different
10	Giamatteo's perspective, offered a role on his team 16:40:22	10	opinions about their value to the company. 16:42:56
11	because he wanted to sleep with me, essentially.	11	What is your indication that the reason
12	That's not something that happens to men, or at	12	that you were let go not just because there was an
13	least you don't hear it very often.	13	honest difference of opinion about your value to the
14	The list goes on. There's so many	14	company but because you're a woman specifically?
15	reasons. And all the players who were so eager to 16:40:38	15	MS. BOURN: Calls for a legal conclusion, calls 16:43:08
16	get me out, Giamatteo, Phil Kurtz, Tim Foote, Dick	16	for a narrative, calls for a legal context which is
17	Lynch, all men.	17	an inappropriate question for a lawyer to ask, as
18	Again, as I said, the list goes on but	18	I'm sure you know.
19	there's a lot of examples for how I was treated	19	But you can answer it if you understand
20	differently for being a woman, not respected, not 16:41:00	20	his question. 16:43:19
21	invited to voice was not respected at the table,	21	MR. LAVOIE: This is, again, a speaking
	not invited at the table at times, not taken		
22		22	objection, Maria. We'll go the Court on this, but
23	seriously despite, at the time having closed several	23	you are stopping the deposition time don't
24	of the company's largest software deals ever,	24	interrupt me. I've waited for you to finish.
23	deal that was the largest in 16:41:15 Page 239	25	You were sopping up time in this 16:43:29 Page 24

1			
2	deposition and you are making speaking objections 16:43:32 that are so long that it makes it hard for the		title in that résumé when you've been applying for 16:45:19 jobs?
	witness to remember what the question was. And	3	A. Recruiters actively told me if you don't
	you're suggesting answers to the witness. So I'm		use the appropriate title in my résumé, it's going
	asking you to stop. You're entitled to a short and 16:43:40		to be hard to get a job. Because the titles I was 16:45:28
6	plain statement of your objection. You're not	6	given at BlackBerry are so obscure and are not
7		7	normal in the world. You will not find another
8	MS. BOURN: The record will speak for itself.	8	chief elite customer success officer. Because once
	I've been very polite today, and you're just	9	they understood the actual job I was doing, they
	testifying and you're not asking questions. But do 16:43:49	10	said this is the appropriate title. The titles I 16:45:42
	what you want.	11	was given, senior vice president, business
	BY MR. LAVOIE:	12	operations, office of the CEO, that was a chief of
3	Q. Do you believe you were ever denied a	13	staff role.
	promotion because of discrimination or retaliation	14	So many recruiters told me, "You will not
4 5	or both? 16:43:59		•
6	MS. BOURN: Calls for a legal conclusion, calls	15 16	get a job if you use those titles in your résumé. 16:45:57 You have to use the industry standards."
			-
7	for a legal contention in violation of the Rifkind	17	It was BlackBerry who didn't give me the industry standard titles despite the fact that I was
8	Voy con anguar	18	•
9	You can answer.	19	doing those jobs because people like John Giamatteo
0	THE WITNESS: Yes. As I said, I was not 16:44:07	20	and white men in the company, I was told this 16:46:07
1	paid given a salary increase when I was made CMO.	21	explicitly, would be upset if I got those titles.
2	That's a perfect example.	22	So they had to try like soften my titles to help
3	BY MR. LAVOIE:	23	those individuals feel better, those white men feel
4	Q. Well, I'm going to ask about compensation.	24	better.
25	I'm saying were you ever denied a 16:44:15 Page 242	25	Q. So you felt entitled to lie and falsify 16:46:23 Page 24
			E
1	promotion as in, like, a new and higher job or title 16:44:16	1	
1			
	because of your gender or in retaliation for		what your actual title was when you applied to jobs 16:46:2-
2	because of your gender or in retaliation for	2	what your actual title was when you applied to jobs 16:46:20 because you thought you had been mistreated?
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	question again. 16:47:19		time. 16:49:36
2	, , , ,	2	THE WITNESS: I don't know what other
3	what I'm doing. So just stop.	3	opportunities I missed out on based on my gender or
4	BY MR. LAVOIE:	4	race or other things. I don't know.
5	Q. In the résumés you sent to prospective 16:47:23	5	BY MR. LAVOIE: 16:49:46
6		6	Q. What decision regarding your pay, bonus or
7	,	7	benefits was, in your view, based on discrimination
8	A. I was discriminated at BlackBerry and	8	or retaliation?
9	given obscure titles that do not exist anywhere in	9	MS. BOURN: Compound, calls for a legal
10		10	conclusion. 16:50:00
11	had those titles anywhere else. So that	11	THE WITNESS: Not getting a pay raise when I
12	discrimination at BlackBerry led to me not only	12	was made CMO was one. And I was explicitly told by
13	being I guess getting paid less and penalized at	13	John Chen it was because John Giamatteo would be
14	BlackBerry but also then affecting my future career.	14	upset. He's already upset I got the CMO job; he'll
15	So as recruiters when I described to 16:48:02	15	be more upset if you get a pay raise, too. 16:50:14
16	3 , 1	16	BY MR. LAVOIE:
17	3	17	Q. Any other times when you were denied a pay
18	had. To get another job, you need to list the	18	increase or a bonus or other compensation because of
19	actual titles, not the ones that they gave you."	19	your based on discrimination or retaliation?
20	MR. LAVOIE: I'm going to move that entire 16:48:17	20	MS. BOURN: Compound, calls for a legal 16:50:34
21	answer as nonresponsive.	21	conclusion, vague and ambiguous as to time, calls
22	BY MR. LAVOIE:	22	for speculation.
23	Q. My question is yes or no. Yes or no.	23	THE WITNESS: You would have to ask HR. I
24	When you sent out résumés to prospective employers,	24	don't know. I wouldn't know if they're not giving
25	did you list your title as chief customer officer? 16:48:26 Page 246	25	me things. 16:50:46 Page 248
	- 10 10		
	Yes or no? 16:48:30		BY MR. LAVOIE: 16:50:46
2	A. It's not a yes-or-no question.	2	Q. Were you ever demoted or had job duties
3	Q. It is a yes-or-no question.		reassigned or lost based on discrimination or
4	Do you want to look at your piece of	4	retaliation?
5	paper? Do you want to look at your résumé where you 16:48:35	5	MS. BOURN: Compound, vague and ambiguous as to 16:50:57
6	<u> </u>	6	time, calls for a legal conclusion.
	I'm asking you a question just factually speaking,	7	THE WITNESS: Yes.
8			BY MR. LAVOIE:
9		9	Q. When?
10	•	10	A. When my role when my customers were 16:51:04
11	MS. BOURN: Asked and answered three times now.	11	
12		12	Q. And you viewed and at the same time,
13	THE WITNESS: I'm the one under oath. I will	13	you took on the chief marketing officer role;
14	answer what I think is accurate. And I've given my	14	A. That was only because my role was reduced. 16:51:17
15	answer. I was discriminated against and I was 16:49:03	15	A. That was only because my role was reduced 16:51:17
16	that was the issue. BY MR. LAVOIE:	16	and I was told it was because John Giamatteo is
17		17	getting very upset.
19	Q. Okay. Well, the record will speak for itself.	19	Q. Sorry. It was you added the chief marketing officer title at the same time, right, so
20	So any other promotions, as in jobs that 16:49:16	20	there were some customers that left your purview. 16:51:33
	, , ,	20	
21	you sought at BlackBerry that you didn't get, jobs or titles that you sought that you didn't get, based	21 22	You added some customers and then you also took on the chief marketing officer title; correct?
22 23	on discrimination or retaliation?	23	A. I'm trying to give you the answer to your
24	MS. BOURN: Objection; compound, asks for a		question.
25		25	My role I was told my role was being 16:51:45
23	Page 247	23	Page 249

1 reduced. Initially I was told that all of the 16:51:49	1 that affected your pay or compensation? 16:54:08
2 customers were being taken away and I would revert	2 MS. BOURN: Calls for a legal conclusion,
3 back to being like the chief of staff role. I	3 compound, calls for a contention question, calls for
4 fought that because it was clearly retaliation and	4 a narrative, vague and ambiguous as to time.
5 absolutely unfair, especially after I had just 16:52:03	5 THE WITNESS: I don't know when others were 16:54:21
6 closed a \$61 million deal, which was the largest	6 getting pay raises, what pay raises they were
deal as a software company.	7 getting, so I certainly could have been
8 Eventually after daily harassment, further	8 discriminated against. I mean I'd like to see that
9 daily harassment, landed that I was told okay	9 information from BlackBerry.
10 fine, well, we'll reduce your customers and give the 16:52:19	10 BY MR. LAVOIE: 16:54:31
11 growing customers back to John Giamatteo and assign	11 Q. Any other time besides when the customers
12 you ones that he has lost, he and his team have	12 were reassigned that you just discussed, any other
13 lost, so you can then go and win them back.	13 time where you were demoted, reassigned, or had
I rejected that because it was there	14 responsibilities taken away based on discrimination
15 was no basis for it other than retaliation. And it 16:52:39	15 or retaliation? 16:54:46
16 was around I think it was around March 20	16 MS. BOURN: Quadruple compound, so object to
17 March 2023 when Rich Curiale invited me out to	17 the form of the question. Calls for a legal
18 lunch I'm answering your question, I'm answering	18 contention, calls for a legal answer, vague and
19 your question.	19 ambiguous, overly broad.
Q. This is venturing far beyond what my 16:52:56	20 THE WITNESS: When my titles were so obscure 16:55:05
21 question was.	21 that, from my perspective, and what I've heard from
A. It's really not.	22 recruiters across countries is that that was a form
MS. BOURN: You asked a long question. You	23 of retaliation and harassment as well.
24 asked for a narrative on two causes of action.	24 BY MR. LAVOIE:
25 THE WITNESS: So around March 2023 when all 16:53:05 Page 250	25 Q. So I'm asking specifically about 16:55:21 Page 252
1 this was happening, I told John Chen I can't handle 16:53:08	1 demotions, reassignments, loss of job duties. And 16:55:22
2 how I'm being treated here anymore. I've put up	2 you talked about not getting a title. So I'm just
3 with it for long enough. I'm out. I resign. I had	3 going to ask my question again.
4 that conversation with him.	4 Other than when the customers were
5 He called Rich Curiale and said, "Can't 16:53:17	5 reassigned, is there any other instance where you 16:55:33
6 lose her from the company. She's not going to	6 were demoted, reassigned, or your job duties were
7 listen to me. You need to speak to her." And	7 changed based on discrimination or retaliation?
8 that's when the offer for CMO came on the table.	8 MS. BOURN: Compound, calls for a narrative,
9 Okay, we're going to take this away from you but	9 calls for a legal conclusion, overly broad as to
10 giving you something else. 16:53:35	10 time. 16:55:48
11 BY MR. LAVOIE:	11 THE WITNESS: There are a number of times the
Q. What is the name of the person and that	12 discussion came up but I fought it.
13 is the only information I'm asking for. What is the	13 BY MR. LAVOIE:
14 name of the person who told you that all of your	14 Q. Specifically when? Like with regard with
15 accounts were going to be taken away and that you 16:53:40	15 what change? Like what demotion, what reassignment, 16:55:58
16 would revert to only the chief of staff role?	16 what change in responsibilities occurred because of
17 A. John Chen and he told me it was because of	17 discrimination or retaliation? I'm not trying to
18 John Giamatteo.	18 fight with you about whether this stuff occurred or
19 MR. LAVOIE: Okay. I'll move to strike	19 not. I'm literally trying to understand the breath
20 everything after "John Chen." 16:53:50	20 of what you claim happened to you based on 16:56:13
21 BY MR. LAVOIE:	21 discrimination or retaliation so I'll ask again.
Q. So you were not given a pay increase when	22 Other than having the customers
23 you became chief marketing officer.	23 reassigned, can you think of another instance where
24 Is there any other time where there was a	24 you were demoted, reassigned, or had
25 discriminatory or retaliatory treatment against you 16:54:04	25 responsibilities taken away based on discrimination 16:56:26
Page 251	Page 253

	or retaliation? 16:56:29	1	Q. Yep, that's right. So you just read the 17:06:11
2	MS. BOURN: Calls for a legal conclusion,	2	entirety of your response and amended response to
3		3	defendant's interrogatory No. 2; correct?
4	calls for a legal contention in violation of	4	A. Yes.
5	Rifkind. 16:56:39	5	Q. And that interrogatory asks you to 17:06:20
6	THE WITNESS: Over that period of two years,	6	describe in detail each act of retaliation you
7	there was numerous discussions about taking the	7	contend was taken against you by defendants.
8	customers away, about those types of things because	8	Do you see that? It's page 5.
9	Giamatteo was unhappy. So eventually it ended up	9	A. Yes.
10	happening but that's the key case. 16:56:58	10	Q. And you attested to the accuracy of this 17:06:30
11	MR. LAVOIE: Okay, let's a look at Tab B.	11	interrogatory response under penalty of perjury.
12	MS. BOURN: Videographer, what time did we	12	Do you remember doing that?
13	start?	13	A. Yeah. I mean, I remembered at the time.
14	THE VIDEOGRAPHER: We're at 39 minutes on.	14	Q. And so my question is this: Are all of
15	MS. BOURN: Defense Exhibit 24. 16:57:42	15	these acts of retaliation that you describe here, do 17:06:45
16	MS. BECK: It was already introduced as	16	you also contend that they were acts of
17	Exhibit 3.	17	discrimination?
18	MR. LAVOIE: Oh, the responses to	18	MS. BOURN: Objection; calls for a legal
19	interrogatory, the first set of interrogatories?	19	conclusion.
20	Oh, right, I see what you mean. 16:58:06	20	I'm going to instruct you not to answer 17:06:55
21	Sorry. We previously marked this as	21	that question.
22	Exhibit 3, which is why we only had two copies of	22	BY MR. LAVOIE:
23	it, so we don't have to dig through the prior	23	Q. You're going to follow that instruction to
24	exhibits to find it, or you can use the new copy.	24	not answer the question?
25	It's the same thing. 16:58:17	25	A. Yes. 17:07:03
	Page 254		Page 256
1	MS. BOURN: Do you want to retract the number? 16:58:17	1	MR. LAVOIE: I think that is improper and we'll 17:07:04
2	MR. LAVOIE: Yeah. We should refer to it as	2	reserve the right to bring Ms. Sandhu back here for
3	Exhibit 3, so I think we just tried to mark that	3	further questioning.
4	as what?	4	MS. BOURN: You can ask a better question.
5	MS. BECK: 24. 16:58:26	5	BY MR. LAVOIE: 17:07:14
6	MR. LAVOIE: 24, so forget that. We'll make	6	Q. Are there any ways in which you were
7	something else 24 and this remains Exhibit 3.	7	retaliated against, which you describe here over the
8	BY MR. LAVOIE:	8	course of many pages, are all of those instances you
9	Q. So I'm going to direct your attention to	9	believe also acts of discrimination?
10	page 5. So in the middle of the page, the question, 16:58:42	10	MS. BOURN: Objection; calls for a legal 17:07:27
10		1	
11	which is labeled as interrogatory No. 2, says,	11	conclusion.
	which is labeled as interrogatory No. 2, says, "Describe in detail each act of retaliation that you	11 12	Conclusion.  I'm going to instruct you not to answer.
11			
11 12	"Describe in detail each act of retaliation that you	12	I'm going to instruct you not to answer.
11 12 13	"Describe in detail each act of retaliation that you contend was taken against you by defendants."	12 13	I'm going to instruct you not to answer. BY MR. LAVOIE:
11 12 13 14	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan	12 13 14	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?
11 12 13 14 15	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the  16:59:03	12 13 14 15	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.
11 12 13 14 15 16	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.	12 13 14 15 16	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're
11 12 13 14 15 16 17	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)	12 13 14 15 16 17	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.
11 12 13 14 15 16 17	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.	12 13 14 15 16 17 18	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal
11 12 13 14 15 16 17 18	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.	12 13 14 15 16 17 18 19	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal conclusion.  BY MR. LAVOIE: 17:07:47
11 12 13 14 15 16 17 18 19 20 21	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.  MS. BOURN: Setting an alarm for 6:30. 17:04:02  BY MR. LAVOIE:	12 13 14 15 16 17 18 19 20	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal conclusion.  BY MR. LAVOIE: 17:07:47  Q. I'm saying, are these you just read a
11 12 13 14 15 16 17 18 19 20 21 22	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.  MS. BOURN: Setting an alarm for 6:30. 17:04:02	12 13 14 15 16 17 18 19 20 21 22	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal conclusion.  BY MR. LAVOIE: 17:07:47  Q. I'm saying, are these you just read a list of alleged acts of retaliation.
11 12 13 14 15 16 17 18 19 20 21 22	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.  MS. BOURN: Setting an alarm for 6:30. 17:04:02  BY MR. LAVOIE:  Q. And you're almost there. Just a half page left.	12 13 14 15 16 17 18 19 20 21	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal conclusion.  BY MR. LAVOIE: 17:07:47  Q. I'm saying, are these you just read a list of alleged acts of retaliation.  I'm just saying, is it your position that
11 12 13 14 15 16 17 18 19 20 21 22 23	"Describe in detail each act of retaliation that you contend was taken against you by defendants."  And then I just want you to just scan through the next few pages all the way through the 16:59:03 middle of page 12.  (Witness reviews document.)  A. Do I read the amendment, too?  Q. Yes.  MS. BOURN: Setting an alarm for 6:30. 17:04:02  BY MR. LAVOIE:  Q. And you're almost there. Just a half page	12 13 14 15 16 17 18 19 20 21 22 23 24	I'm going to instruct you not to answer.  BY MR. LAVOIE:  Q. Are you following that instruction?  A. Yes. 17:07:37  MS. BOURN: You can ask a better question.  You've asked her to read multiple pages and you're saying, "Is that discrimination?" That's a legal conclusion.  BY MR. LAVOIE: 17:07:47  Q. I'm saying, are these you just read a list of alleged acts of retaliation.

1	<i>3</i> / E	7:08:03	1	because you're a woman? 17:09:44
2	conclusion. You can ask a better question such as,		2	A. Okay. Are you going to ask me another
3	do you think you were treated differently because		3	question after that about
4	you're a woman?		4	Q. Yes. And I'm going to say, are there any
5	MR. LAVOIE: No, that's not my question.	17:08:12	5	other acts of retaliation against you that you 17:09:48
6	MS. BOURN: You're asking a legal conclusion.		6	remember other than those here?
7	You know that's improper.		7	A. Okay.
8	Don't answer that. He can ask a better		8	MS. BOURN: Just a second. You're going to ask
9	question that is proper for an attorney to ask a lay			her that question when she comes back?
l	witness. 17:08:24		10	MR. LAVOIE: Yes. 17:10:00
11	BY MR. LAVOIE:		11	MS. BOURN: Okay. So there's no pending
12	Q. Do you think all of the events and actions			question.
13	that you describe in your interrogatory response		13	MR. LAVOIE: Great. Okay. Thanks, Maria.
14	No. 2 happened because you were a woman?	00.24	14	Let's go off the record.
15	1	:08:34	15	THE VIDEOGRAPHER: This marks the end of Media 17:10:05
16	You can answer that.			Unit 5. We are going off the record. The time is
17	THE WITNESS: I need to kind			5:10 p.m.
18	BY MR. LAVOIE:		18	(Recess taken.)
19	Q. No. You just read them. I gave you 12		19	THE VIDEOGRAPHER: This marks the beginning of
20	,	17:08:43	20	
21	Are you contending that all these actions		21	time is 5:26 p.m.
22	happened to you because you're a woman?		22	BY MR. LAVOIE:
23	MS. BOURN: You can take your time to review		23	Q. During the break, you had a chance to
24	and properly answer the question.			re-review your response to defendant's interrogatory
25	MR. LAVOIE: I'll just take that as an 17	2:08:55 Page 258	25	No. 2 asking about each act of retaliation you 17:26:10 Page 260
1	instruction not to answer if that's what you're	7:08:57	1	contend was taken against you by defendants. 17:26:13
2	going to do.		2	When you reviewed that response again
3	MS. BOURN: I'm not instructing her not to		3	after having reviewed that response again, can you
4	answer.		4	identify a single additional instance that was an
5	MR. LAVOIE: No. That's okay.	1:09:02	5	act of retaliation against you that you didn't 17:26:27
6	MS. BOURN: Please don't interrupt me. Just a		6	mention in your interrogatory response?
7	second. I'd like to make the record clear.		7	MS. BOURN: Calls for a narrative, calls for a
8	MR. LAVOIE: Let's		8	legal conclusion.
9	MS. BOURN: I'm not instructing you not to		9	THE WITNESS: I think I said this at the end of
10	answer, but if you need to review it to provide a	17:09:07	10	the amended response to the interrogatory, that I 17:26:40
11	full and complete answer, you are entitled to do		11	was retaliated against, harassed on a I would say
12	that.		12	almost daily basis. It hard for me to recount every
13	MR. LAVOIE: I just provided 10 minutes or five		13	single example but this is a good flavor of them.
14	minutes for the witness to read the entirety of the		14	BY MR. LAVOIE:
15	seven-page response. If you want to read it again,	17:09:20	15	Q. I'm not asking for flavor. 17:27:01
16	we can go off the record.		16	I'm saying as you sit here right now, can
17	THE WITNESS: I don't want to read it again,		17	you identify an additional single instance of act of
18	but I want to be able to say yes or no to you in a		18	retaliation that you don't mention in this
19	factual way.		19	interrogatory response?
20	BY MR. LAVOIE: 17:09:	29	20	MS. BOURN: Objection; misstates the request 17:27:14
21	Q. We're at the time for a break so let's		21	because you're adding discrimination and compound
22	take a break. And you can review it off the record.		22	and calls for a narrative.
23	A. And you're saying gender discrimination?		23	THE WITNESS: Like, honestly, I don't know
24	Q. Yes. All these things that you describe		24	without, like, writing down, okay, this is what I've
25	in No. 2, do you believe they happened to you	17:09:39 Page 259	25	got here, this is what I've got there. Like I would 17:27:35 Page 261

2 missed. This is a lot of information here to be 3 able to say, but for sure there were other examples 4 able to say, but for sure there were other examples 5 retalized against on a daily basis. 17:27:52 6 MS MR. LAVOIE: 7 Q. You just can't tell me any examples right 8 now as you sit here; is that right? 9 A. If so that. It's just that it's such a 10 long list. I don't know how I could cross-reference 17:28:01 1 what's in here and what's not. I can't tuke 1 dose— how many pages in, to be able to answer 3 that. 4 Q. These instances are the most severe acts 3 that. 5 Q. These instances are the most severe acts 4 Q. These instances are the most severe acts 4 Defined and the extent it calls 5 of retalization that you experienced, correct? 1 17:28:11 6 MS, BOURN: Objection to the extent it calls 8 for a narrative. 9 THE WITNESS: I can't answer that without like 9 thinking through - most severe, 1 orthork mow. Like 1 17:28:51 1 if it's a legal definition. I don't know but 2 eventually getting fired is perty bad. That's 3 that as the next exhibit in line. 1 17:28:51 2 m (Doposition Exhibit 24 was marked.) 1 7:28:54 2 m (Doposition Exhibit 24 was marked.) 1 7:28:54 3 p (Doposition Exhibit 24 was marked.) 1 (Doposition Exhibit 22 was marked.) 2 (Doposition Exhibit 24 was marked.) 2 (Doposition Exhibit 24 was marked.) 3 (Doposition Exhibit 24 was marked.) 3 (Doposition Exhibit 24 was marked.) 4 (Doposition Exhibit 24 was marked.) 5 (Doposition Exhibit 24 was marked.) 5 (Doposition Exhibit 24 was marked.) 6 (Doposition Exhibit 24 was marked.) 7 (Doposition Exhibit 24 was marked.) 1 (Doposition Exhibit 24 was marked.) 1 (Doposition Exhibit 24 was marked.) 2 (Doposition Exhibit 24 was marked.) 3 (Doposition Exhibit 24 was marked.) 4 (Doposition Exhibit 24 was marked.) 5 (Doposition Exhibit 24 was marked.) 5 (Doposition Exhibit 24 was marked.) 6 (Doposition Exhibit 24 was marked.) 7 (Doposition Exhibit 24 was ma	1	need more time to think, okay is there anything I've 17:27:39	1	Do you see that? 17:30:35
3 dole to say, but for sure there were other examples 4 because this is a short list and I was harassed and 5 breakfast and and any basis. 17:27:52 6 BY MR LAVOIE: 7 Q. You just carl' tell me any examples right 8 now as you is there is that right? 9 A. I's not that. It's just that it's such a 10 nong list. I don't know how I could cross-reference 17:28:01 1 what's in here and what's not. I can't take 2 these - how many pages in, to be able to answer 3 that. 4 Q. These instances are the most severe acts of retaliation that you experienced; correct? 6 MS. BOURN: Objection to the extent it calls for a marrative. 9 THE WITNESS: I can't answer that without like 0 thinking through - most severe, I don't know, Like 17:28:51 2 this first a legal derinfinor, I don't know but 1 unit of the catent it calls of first alegal derinfinor, I don't know but at load of the catent it calls 1 first a legal derinfinor, I don't know but at load of the catent it calls 6 for a marrative. 9 THE WITNESS: I can't answer that without like 0 thinking through - most severe, I don't know. Like 17:28:51 2 this first a legal derinfinor, I don't know but 1 don't				•
4 A. There we posted a letter publicly on the 5 retailisted against on a daily basis. 17:27:52 5 retailisted against on a daily basis. 17:27:52 5 Patalisted against on a daily basis. 17:28:01 6 BY MR. LAVOIE: 6 By MR. Lavoie at BackBerry? 17:29:43 6 MS. BOURN: Bates labeled 18995 through 1900. 17:29:43 1 o. Ding to the train of the cert of the care of the cert of the care of the cert of				•
5 retailiant of search 17:30-42  BY MR. LAVOIE:  7 Q. You just card tell me any examples right  8 now as you sit here; is that right?  9 (a. It's not that. It's just that it's such a  10 long list. I chor't know how I could cross-reference  17:28-01  1 what's in here and what's not. I can't take  10 what's in here and what's not. I can't take  11 what's in here and what's not. I can't take  12 these – how many pages in, to be able to answer  3 that.  4 Q. These instances are the most severe acts  5 of retaliation that you experienced; correct?  17:28-11  6 MS BOURN: Objection to the extent it calls  8 for a narrative.  9 THE WTINESS: I can't answer that without like  10 thinking through – most severe. I don't know. Like  17:28-23  1 if it's a legal definition, I don't know but  2 eventually getting fired is pretty bad. That's  1 ultimately the tiggest refulation.  4 MR. LAVOIE: Let's look at Tab 53. We'll mark  5 that as the next exhibit in line.  17:28-51  9 Q. Didy ou know that John Chert's contract was  4 not going to be renewed and he would be leaving  1 (Deposition Exhibit 24 was marked.)  1 (Deposition Exhibit 24 was marked.)  1 (Deposition Exhibit 24 was marked.)  1 (Deposition Exhibit in free in became public knowledge? Yes.  7 Q. You worked with him on some kind of  9 A. No. Idd not.  9 A. No. Idd not.  1 (Deposition Exhibit 24 was marked.)  2 (D. Id'you know that John Chert's contract was  4 not going to be renewed and he would be leaving  3 A. No.  4 (Winess review secumen.)  5 (Winess review secumen.)  5 (Winess review secumen.)  6 (Winess review secumen.)  7 (Winess review secumen.)  8 (D. Id over the time the top of  10 page 5 is a message from John Chen dated  17:30:15  10 (Delove 20:10 over the marked.)  17:31:45  10 (Delove 20:10 over the marked.)  17:31:45  10 (Delove 20:10 over the marked.)  17:31:45  10 (Delove 20:10 over the marked.)  17				_
6 BY MR. LAVOIE: 7 Q. You just can't left me any examples right 8 now as you sit here; is that right? 9 A. It's not that. It's just that it's such a 10 long list. I don't know locould cross-reference 17-28-01 1 what's in here and what's not. I can't take 2 these—how many pages in, to be able to answer 3 that. 4 Q. These instances are the most severe acts 5 of retalitation that you experienced; correct? 6 MS. BOURN: Objection to the extent it calls 7 for a legal conclusion and to the extent it calls 8 for a narrative. 9 TITE WITNESS: I can't answer that without like 10 thinking through — most severe, I don't know but 21 lift's a legal definition, I don't know but 22 wentually getting fred is pretly bad. That's 3 ultimately the biggest retaliation. 4 MR. LAVOIE: Let's look at Tab 53. We'll mark 5 that as the next exhibit in line. 17-28-51 7 may be that as the next exhibit in line. 17-28-52 1 (QDeposition Exhibit 24 was marked.) 17-28-54 2 BY MR. LAVOIE: 3 Q. Did you know that John Chen's contract was 4 not going to be renewed and he would be leaving 5 libackBerry before that became public knowledge? 17-29-20 6 A. Before it became public knowledge? Yes. 7 Q. Did you work with him on his resignation 8 letter; right? 9 A. No. I did not. 9 Q. Did you work with him on some kind of 17-29-32 1 letter to the board relating to the end of his 2 tenure at BlackBerry? 17-29-43 1 letter to the board relating to the end of his 2 tenure at BlackBerry? 18 MR. LAVOIE: 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your attention to page 5. At the 19 Q. Direct your at				
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Page 263 Page 265	25	is true." 17:30:34	25	-
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2 A. At least this portion. As I said, I 3 havert read the whole document but at least this 4 bit folosit like; it, yes. 5 Q. This is the BBMe exchange that you had 6 contribute at least this 7 A. Appears that way. 8 Q. And you don't see any other participants 9 in this, dayou? 9 A. I do not. 17:33:08 1 Q. So it says December 10th, 2023, when 2 Sandhu char terracede. December 10th, 2023, when 3 was that in comparison with Dick Lynch mor with you 4 and told you you were being let go from BlackBerry? 5 A. Six days later. I was told on 17:33:27 6 December 4th. 7 Q. And during that conversation Mr. Lynch 8 told you that you would have the option to portray 9 your departure as a resignation if you chose; 10 correct? 10 Q. Did he asky you some time to make that 3 decision. He didn't ask for it on the spot, right? 4 A. I don't remember what the deadline was but 55 I didn't have that much time, no. 17:33:50 Page 266 10 Q. Did he ask you to decide during the very 10 Q. Did he ask you to decide during the very 11:33:50 Page 266 12 Q. And he gave you some time to make that 3 decision. He didn't ask for it on the spot, right? 4 A. I don't remember what the deadline was but 55 I didn't have that much time, no. 17:33:50 Page 266 12 Q. O, Olay. And so December 10th, 2023, at 8 647 a.m. you retracted the messages that you had 9 contributed to this BBMe chain with John Chen; 10 Q. O, And when you - and to do that, you had 0 contributed to this BBMe chain with John Chen; 10 Q. O, And when you, and to do that, you had to 2 conversation that he informed you, see no 3 will be permanently deleted. "You saw that; right? 4 A. I am and clicked on "retract chat" in 7:34:46 7 your PBMe with John Chen, you would have seen a 10 Q. O, And when you on clicked on "retract chat" in 17:34:46 8 A. I appears that way, yes. I don't 17:37:28  3 will be permanently deleted. "You saw that; right? 4 A. That message does not come up, no. No. 5 creates that, when, from my memory, it just like 17:35:503  4 Poge 266  5 decide. 6 decide. 7 Q. O, So you ope				
3 his wen't read the whole document but at least this 4 bit looks like it, yes 4 bit looks like it, yes 5 Q. This is the BBMe exchange that you had 17:32:59 6 with blum Chem; correct?  4 A. Appears that way;  8 Q. And you don't see any other participants 8 Q. Why ddy our extract your portion of the 9 eithat with John Chem; correct?  A. Appears that way;  8 Q. And you don't see any other participants 8 Q. Why ddy our extract your portion of the 9 eithat with John Chem; 20:33, Neclaum 17:33:08 1 Q. So it says December 10th, 2023, Neclaum 28 sandhu chart retracted. December 10th, 2023, when 3 was that in comparison with Dick Lynch met with you 4 and told you you were being let go from BlackBerry?  5 A. Six days later. I was told on 17:33:27 1 The Chem and the particular that was 17:35:58 1 Chem and the particular that was 18 told you that you would have the optor it pidr?  6 December 4th. 7 Q. And during that conversation Mr. Lynch 8 told you that you would have the optor in potracy 9 your departure as a resignation if you chose: 10 correct?  10 Correct? 17:33:50 Page 266 1 Q. Did he ask you to decide during the very 17:33:50 Page 266 1 Q. Did he ask you to decide during the very 17:34:04 A. I don't remember what the deadline was but 15 I didn't have that much time, no. 17:33:50 Page 266 1 Q. Oxan Ab egave you some time to make that 3 decision. I le didn't have that much time, no. 17:33:50 Page 266 1 Q. Oxan Ab who you are able to time to 17:34:04 A. H. did not. He said because I'm in Dubai, 5 that he was going to give me a bit of time to 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that much bitme, no. 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that much bitme, no. 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that much bitme, no. 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that much time, no. 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that much time, no. 17:34:04 A. H. did not. He said because I'm in Dubai, 6 that make that much time, no. 17:34:04 A. H.		•		•
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5 Q. This is the BBMe exchange that you had with John Chen; correct?  6 with John Chen; correct?  7 A. Appears that way,  8 Q. And you don't see any other participants in this, do you?  8 A. I do not.  17:33:08 1 Q. So it says December 10th, 2023, Neham 3 was that in comparison with Dick Lynch met with you 4 and told you you were being let go from BlackBerry?  5 A. Six days later. I was told on 17:33:27  6 December 4th.  7 Q. And during that conversation Mr. Lynch 18 told you that you would have the option to portray your departure as a resignation if you chose; 10 cornect?  10 A. I used to do it regularly, retract chats 17:35:58  11 Each Kerry. It was the only way in remove chats 13 from the view. And sometimes I would retract them 4 to shorten the list of chats that were in the view. 14 to shorten the list of chats that were in the view. 15 fold you that you would have the option to portray your departure as a resignation if you chose; 10 cornect?  10 A. A formet was a possibly one with the finding that conversation Mr. Lynch 17:35:58  11 Grow the view. And sometimes I would retract them 4 to shorten the list of chats that were in the view. 15 fold you that you would have the option to portray your departure as a resignation if you chose; 10 cornect?  10 A. I used to do it regularly, retract chats 17:35:58  11 Grow the view. And sometimes I would retract them 4 to shorten the list of chats that was the only wan premove that 17:35:58  12 Government as a resignation if you chose; 10 cornect?  13 A. Cornect 17:33:58  14 A. I don't remember what the deadline was but 19 counted that you ware 20 you were just doing some clean-up on 17:36:17  15 that he was going to give me a bit of time to 17:34:04  16 decide. 19 you BMM. You intended to - which phone was this? 22 your BMM. You intended to - which phone was this? 23 your BMM. You intended to - which phone was this? 24 you was a device and that was - like it was 17:36:32  20 you do you were listend to this BMM chain with John Chen; 10 you and after a year, like it b			l .	
6 with John Chen: correct? 7 A. A papears that way. 8 Q. And you don't see any other participants 9 in this, do you? 10 A. I do not. 17:33:08 1 Q. So it says December 10th, 2023, Neclam was that in comparison with Dick Lynch met with you 4 and told you you were being let go from BlackBerry? 5 A. Six days later. I was told on 17:33:27 6 December 4th. 9 Q. And during that conversation Mr. Lynch 17 Q. And during that conversation Mr. Lynch 18 told you that you would have the option to portray your departure as a resignation if you chose; 10 correct 17:33:38 12 A. Correct 17:33:38 13 A. Correct 17:33:38 14 A. Correct 17:33:38 15 I didn't have that much time, no. 17:33:59 16 I didn't have that much time, no. 17:33:50 17 Q. Did he ask you to decide during the very 19:35:50 18 Go down that was going to give me a bit of time to 17:34:04 19 Go conversion that he informed you that you were 3 being let go? 19 Q. Olay. And so December 10th, 2023, at 8 64-73 am, you retracted the messages that you had 9 contributed to this BBMe chain with John Chen: 17:34:24 10 Q. And when you e and to do that, you had to 2 citick on an option that says "retract chat" in J. 73:4:24 11 Q. Olay And so December 10th, 2023, at 8 citick on an option that says "retract chat"; right? 12 Q. And when you citicked on "retract chat" in J. 73:4:24 13 A. It appears that way, yes. I don't 19 memerber. 14 Q. And when you citicked on "retract chat" in J. 73:4:34 15 Q. And when you citicked on "retract chat" in J. 73:4:34 16 Q. And when you citicked on "retract chat" in J. 73:4:34 17 your BBMe with John Chen, you would have seen a confident in that said, "All of your setting your stract your side of the BBMe chat with on 17:37:24 18 A. It appears that way, yes. I don't 19 your subter that was have a confident with the particular chat with 19 your setting your side of the BBMe chat with on 19 your one of the particular chat with 19 your subtered to you and after a year, like it becomes your 19:36:37 20 Q. And when you citicked on "retract chat" in J. 73:4:04		•		
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8 Q. Why did you retract your portion of the 9 chark with John Cher? 9 in Lis, day oug. 10 A. I do not. 11 Q. So it says December 10th, 2023, when 3 was that in comparison with Dick Lynch met with you 4 and told you you were being let go from BlackBerry? 15 Cocreent 4th. 16 Q. And during that conversation Mr. Lynch 5 told you that you would have the option to portray 9 your departure as a resignation if you chose; 10 correct? 17:33:38 12 do day that you would have the option to portray 19 your departure as a resignation if you chose; 10 correct? 17:33:38 12 do day that you work that the deadline was but 15 1 didn't have that much time, no. 17:33:50 Page 266 1 didn't have that much time, no. 17:34:04 1 A. It don't remember what the deadline was but 25 1 didn't have that much time, no. 17:34:04 1 de decide. 17 Q. Okay. And so December 10th, 2023, at 8 6447 am. you retraced the messages that you had to 3 click on an option that assay "retract chat"; 17:34:24 1 A. It appears that way, yes. 2 Q. And when you – and to do that, you had to 3 click on an option that says "retract chat"; 17:34:24 1 A. It appears that way, yes. 1 don't remember with high the chain with John Chen; 2 correct? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't remember? 17:34:24 1 A. Rappears that way, yes. 1 don't knew the form you would have seen a confidence on the said. "All of your sent messages 3 will be permanently deleted." You saw that; right? 2 A. It was a dolicy or something. So that you had to 3 click on an option that s				
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1 Q. So it says December 10th, 2023, when 2 Sandhu chat retracted. December 10th, 2023, when 3 was that in comparison with Dick Lynch met with you 4 and told you you were being let go from BlackBerry? 14 Concentration of the course of my career at 15 BlackBerry. 15 I shorten the list of chats that were in the view, 16 December 4th. 16 December 4th. 17 Q. And during that conversation Mr. Lynch 16 December 4th. 17 Q. And during that conversation Mr. Lynch 17 Concentration 18 to lody out hat you would have the option to portray 18 to lody out hat you would have the option to portray 19 your departure as a resignation if you chose; 10 cornect? 17 Concentration 18 C				
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6 December 4th. 7 Q. And during that conversation Mr. Lynch 8 told you that you would have the option to portray 9 your departure as a resignation if you chose; 10 correct? 17:33:38 10 A. Correct. 21 your BBMe. You intended to — which phone was this? 22 Was this BlackBerry-owned device or was it your 23 personal device? 24 A. It don't remember what the deadline was but 25 I didn't have that much time, no. 17:33:50 Page 266 1 Q. Did he ask you to decide during the very 2 being let go? 4 A. He did not. He said because I'm in Dubai, 5 that he was going to give me a bit of time to 6 decide. 7 Q. Okay. And so December 10th, 2023, at 8 6:47 a.m. you retracted the messages that you had 9 contributed to this BBMe chain with John Chen; 10 correct? 17:34:24 1 A. It appears that way, yes. 2 Q. And when you — and to do that, you had to 3 click on an option that says "retract chat"; 4 correct? 5 A. Yes. 17:34:35 Q. So you were just doing some clean-up on 17:36:31 2 was the device or was it your 2 personal device? 2 Was this BlackBerry-owned device or was it your 23 personal device? 24 A. It was a device and that was — like it was 17:36:32 25 were given a device and that was — like it was 17:36:36 26 devide. 3 was the device it was. But it's like a BYOD setup 4 A. It appears that way, yes. 4 correct? 17:34:24 1 A. It appears that way, yes. 10 C. A. I hadn't decided at the time if I ended 17:37:03 11 up — like I us an iPhone now. So no, it wasn't a 12 decision I was making. If I'm going to keep using 13 that phone, use something else, I don't know. 17:37:52 18 A. Yes. 17:34:35 19 A. It appears that way, yes. I don't remember. 17:34:36 20 Q. And when you clicked on "retract chat"; right? 21 A. No. 22 Og. And when you clicked on "retract chat" in 17:34:34 23 personal device? 24 A. It was a device that I had — executives 25 were given a device that was 1 had in the specific that was a policy or something. So that was 17:36:36 2 device. That was a policy or something. So that was 18:36 2 device. That was a policy or something. So	14		14	
7 Q. And during that conversation Mr. Lynch 8 told you that you would have the option to portray 9 your departure as a resignation if you chose; 10 correct? 11,33;38 20. A. Correct. 21. Q. And he gave you some time to make that decision. He didn't ask for it on the spot; right? 22. Q. And he gave you some time to make that decision. He didn't ask for it on the spot; right? 23. Page 266 24. A. I don't remember what the deadline was but to I didn't have that much time, no. 25. Page 266 26. Page 266 27. Q. Did he ask you to decide during the very a conversation that he informed you that you were a being let go? 28. A. He did not. He said because I'm in Dubai, that he was going to give me a bit of time to decide. 29. Q. So you were just doing some clean-up on 17:36:17 29. Was this BlackBerry-owned device or was it your 20 personal device? 20. So you were just doing some clean-up on 17:36:17 29. Was this BlackBerry-owned device or was it your 20 personal device? 20. So you were just doing some clean-up on 17:36:17 29. Was this BlackBerry-owned device or was it your 20 personal device? 20. So you were just doing some clean-up on 17:36:17 20. Was this BlackBerry-owned device or was it your 20 was this Black Berry-owned device or was it your 20 personal device? 21. A. It was a device that I had executives 20 were given a device and that was like it was 20 personal device? 22. Conversation that he informed you were as being let go? 30. That was a policy or something. So that 3 was the device it was. But it's like a BYOD setup 4 so it had a it was a compartment for work. I 5 think they call it container. So it containerizes 17:36:31 31. That was a device that you were going 8 to continue to own and use after you left 9 BlackBerry? 31. A. It appears that way, yes. 1 don't know how to answer that 1 had executives 20 device. That was a policy or something. So that 3 was the device it was. But it's like a BYOD setup 4 so it had a it was a compartment for work. I 1 think they call it container. So it containeri	15	•	15	•
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9 your departure as a resignation if you chose; 10 correct? 17:33:38 20 Q. And he gave you some time to make that decision. He didn't ask for it on the spot; right? 21 Q. And he gave you some time to make that decision. He didn't ask for it on the spot; right? 22 Q. And he gave you some time to make that decision. He didn't ask for it on the spot; right? 23 decision. He didn't ask for it on the spot; right? 24 A. I don't remember what the deadline was but decision was the decision of the same that the informed you that you were deconversation that he informed you that you were decideduring the very device. That was a policy or something. So that a was going to give me a bit of time to decide. 25 device. That was a policy or something. So that a was the device it was. But it's like a BYOD setup device. That was a compartment for work. I sthink they call it container. So it containerizes that was upon that says interested the messages that you had of decide. 26 Q. Okay. And so December 10th, 2023, at a continued to this BBMe chain with John Chen; decision an option that says "retract chat"; right? 28 A. It appears that way, yes. I don't member. 29 Q. And when you and do that, you had to do that, you had to do that, you had to do contributed to this BBMe chain with John Chen; decision I was making. If I'm going to keep using that phone, use something else, I don't know. 29 And when you clicked on "retract chat"; right? 30 A. It appears that way, yes. I don't remember. 40 Q. So you opened this particular chat with your BBMe with John Chen, you would have seen a confidention that said, "All of your sent messages are tracted your side of the BBMe chat with on the policy of the chat was that you wanted to avoid painful memories? 41 A. It appears that way, yes. I don't remember? 42 A. It appears that way, yes. I don't remember? 43 A. It appears that way, yes. I don't remember? 44 A. It appears that way, yes. I don't remember? 45 A. It appears that way, yes. I don't remember? 46 A. That message does not come up, no. No,	17			
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13 that phone, use something else, I don't know.  14 Phones come and go. I don't know how to answer that  15 A. Yes. 17:34:35  16 Q. So you opened this particular chat with  17 John Chen and clicked on "retract chat"; right?  18 A. It appears that way, yes. I don't  19 remember.  10 Q. And when you clicked on "retract chat" in  11 your BBMe with John Chen, you would have seen a  12 notification that said, "All of your sent messages  13 that phone, use something else, I don't know.  14 Phones come and go. I don't know how to answer that  15 question. 17:37:22  16 Q. Is John Chen the only person that you retracted your side of the BBMe chat with on  18 December 10th, 2023?  19 A. I don't know.  20 Q. You don't remember? 17:37:31  21 A. No.  22 Q. And the reason you retracted your side of  23 the chat was that you wanted to avoid painful  24 memories?  25 A. Exactly. What did end up happening, 17:37:46	11	A. It appears that way, yes.	11	up like I use an iPhone now. So no, it wasn't a
4 correct?  5 A. Yes. 17:34:35  6 Q. So you opened this particular chat with 7 John Chen and clicked on "retract chat"; right? 8 A. It appears that way, yes. I don't 9 remember. 9 Q. And when you clicked on "retract chat" in 17:34:46 19 your BBMe with John Chen, you would have seen a 10 notification that said, "All of your sent messages 10 will be permanently deleted." You saw that; right? 11 A. That message does not come up, no. No, 12 retract chat, when from my memory, it just like 17:35:03  18 Phones come and go. I don't know how to answer that 19 Q. Is John Chen the only person that you 10 retracted your side of the BBMe chat with on 18 December 10th, 2023? 19 A. I don't know. 20 Q. You don't remember? 21 A. No. 22 Q. And the reason you retracted your side of 23 the chat was that you wanted to avoid painful 24 memories? 25 A. Exactly. What did end up happening, 17:37:46	12	Q. And when you and to do that, you had to	12	
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7 John Chen and clicked on "retract chat"; right?  8 A. It appears that way, yes. I don't  9 remember.  9 Q. And when you clicked on "retract chat" in  17:34:46  19 your BBMe with John Chen, you would have seen a  10 notification that said, "All of your sent messages  10 will be permanently deleted." You saw that; right?  11 A. That message does not come up, no. No,  12 retracted your side of the BBMe chat with on  18 December 10th, 2023?  19 A. I don't know.  20 Q. You don't remember?  21 A. No.  22 Q. And the reason you retracted your side of  23 the chat was that you wanted to avoid painful  24 memories?  25 A. Exactly. What did end up happening,  17:37:46	15	A. Yes. 17:34:35	15	question. 17:37:22
7 John Chen and clicked on "retract chat"; right?  8 A. It appears that way, yes. I don't  9 remember.  9 Q. And when you clicked on "retract chat" in  17:34:46  19 your BBMe with John Chen, you would have seen a  10 notification that said, "All of your sent messages  10 will be permanently deleted." You saw that; right?  11 A. That message does not come up, no. No,  12 retracted your side of the BBMe chat with on  18 December 10th, 2023?  19 A. I don't know.  20 Q. You don't remember?  21 A. No.  22 Q. And the reason you retracted your side of  23 the chat was that you wanted to avoid painful  24 memories?  25 A. Exactly. What did end up happening,  17:37:46	16	Q. So you opened this particular chat with	16	Q. Is John Chen the only person that you
8 A. It appears that way, yes. I don't 9 remember. 10 Q. And when you clicked on "retract chat" in 17:34:46 12 your BBMe with John Chen, you would have seen a 12 notification that said, "All of your sent messages 13 will be permanently deleted." You saw that; right? 14 A. That message does not come up, no. No, 15 retract chat, when from my memory, it just like 17:35:03 18 December 10th, 2023? 19 A. I don't know. 20 Q. You don't remember? 21 A. No. 22 Q. And the reason you retracted your side of 23 the chat was that you wanted to avoid painful 24 memories? 25 A. Exactly. What did end up happening, 17:37:46			17	
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23 will be permanently deleted." You saw that; right? 24 A. That message does not come up, no. No, 25 retract chat, when from my memory, it just like 26 The chat was that you wanted to avoid painful 27 memories? 28 A. Exactly. What did end up happening, 29 The chat was that you wanted to avoid painful 29 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 21 The chat was that you wanted to avoid painful 22 The chat was that you wanted to avoid painful 23 The chat was that you wanted to avoid painful 24 The chat was that you wanted to avoid painful 25 The chat was that you wanted to avoid painful 26 The chat was that you wanted to avoid painful 27 The chat was that you wanted to avoid painful 28 The chat was that you wanted to avoid painful 29 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 21 The chat was that you wanted to avoid painful 22 The chat was that you wanted to avoid painful 24 The chat was that you wanted to avoid painful 25 The chat was that you wanted to avoid painful 26 The chat was that you wanted to avoid painful 27 The chat was that you wanted to avoid painful 28 The chat was that you wanted to avoid painful 29 The chat was that you wanted to avoid painful 29 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 29 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 20 The chat was that you wanted to avoid painful 21 The chat was that you wanted to avoid painful 22 The chat was that you	22		_	
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25 retract chat, when from my memory, it just like 17:35:03 25 A. Exactly. What did end up happening, 17:37:46	24			
	_			Page 269

1 though I can't remember quite when. It was 17:37:49 1 hid that chat from my phone by using the retract	17:40:35
2 around this time frame that BlackBerry wiped my 2 feature.	
3 device. They wiped container. So everything, like 3 Q. By this time on December 10th, 2023, you	
4 the BBM app just went away. So everything on the 4 had hired lawyers; correct?	
5 device was wiped from a work data perspective. I 17:37:59 5 A. I had talked to a lawyer. I hadn't hired	17:40:48
6 did get a notification of that on my phone. 6 one at the time, no.	
7 Q. You also retracted your side of the chat 7 Q. How many times had you spoken to a lawy	er
8 with someone named Mary Hundt? 8 from Ms. Bourn's law firm?	
9 A. Yeah. I don't remember doing that; but if 9 A. Just once I believe.	
0 I had just someone I felt who she was in HR. 17:38:15   10 Q. So you spoke to someone from Ms. Bourn's	17:40:5
1 She had set up the call between Dick Lynch and I. 11 firm once on what date?	
2 So she would have known I was fired and I found that 12 MS. BOURN: Asked and answered.	
3 upsetting. 13 BY MR. LAVOIE:	
4 Q. So you just wanted to retract your chats 14 Q. Your rog response says November 17th.	
5 with Mary Hundt to avoid painful memories? 17:38:32 15 That's when you spoke to a lawyer at Ms. Bourn's	17:41:0
6 A. Exactly. 16 firm?	
7 It was a very emotional time. I mean, as 17 A. That's when I spoke with you. That was	
8 I said, being fired for not sleeping with somebody, 18 the first time I spoke with you.	
9 it's pretty tough when you work really hard and 19 Q. So your testimony is that you never spoke	
0 invest so much in your career. As I said, 17:38:43 20 with Ms. Borne again from the first time you spoke	17:41:2
1 ultimately BlackBerry wiped the work container off 21 with her on November 17th, 2023, all the way thro	ugh
2 my phone and everything went away, every single 22 when you had your conversation with Dick Lynch	where
3 chat, all the e-mails, all the chats, whatever work 23 he told you you were being let go?	
4 data was on the phone. 24 A. Correct, yes.	
Q. You also retracted your chats with Page 270 25 Q. Did you have any conversations with any	17:41:36 Page 27
1 Jennifer Bramhill; correct? 17:39:08 1 lawyers in the two or three days after Dick Lynch	17:41:38
2 A. I don't remember. But if I did, another 2 told you that you were being let go?	
3 person who I think sort of just it was upsetting 3 A. Not that I recall. I've only even spoken	
4 that she knew as well about what was going on and 4 with a lawyer perspective with my current law firm	1
5 just felt like it was a really toxic environment. 17:39:22 5 that's representing me. 17:41	:51
6 Q. You also retracted your chats with Marc 6 Q. How long was it after December 10th, 2023	3,
7 Cormier? 7 that you hired Ms. Bourn's firm to represent you?	
8 A. Who's Marc Cormier? I don't remember who 8 A. I would have to explain the contract but	
9 that is. 9 it was January or late December, something like	
Q. Painful memories with him? 17:39:35 10 that. Mid-December. It wasn't right away. It was	17:42:06
A. Whoever I did, yeah, it would be the same  11 whenever you contacted BlackBerry. That would be	have
2 sort of thing. It was a combination of two reasons.  12 been about the time I signed something. And it was	ıs
The emotional side of things and then also there  13 just to review like review the legal letter that	
4 were people on my team who were so when I was  14 I had been sent by BlackBerry. That was the purpo	ose
5 told I was fired by Dick Lynch, he said my job 17:39:52 15 of it. 17:42:23	
6 duties are eliminated I guess effective immediately.  16 Q. In the days after Dick Lynch told you that	
7 I don't remember the exact words, but effective 17 you were being let go, did you ever did the	
8 immediately. And I wasn't allowed to communicate 18 thought ever cross your mind that you might sue th	ie
9 with my team unless I was telling them I resigned.  19 company?	
	7:42:33
1 approval on this and that." Like I'm responsive and 21 January, probably January time frame.	
2 care about my team and take pride in being that way.  22 Q. And that's when you requested your	
3 And so when they're messaging me, and I'm not 23 personnel record?	
4 allowed to respond, that's really difficult. So I  24 A. I wanted my personnel record like	
5 didn't want to see that on my phone. So I just like 17:40:30 25 because I know that lawyers generally kind of	17:42:47
Page 271	Page 27

11 was about to depart? This is in the late 2 October 2023 time period, right? 2 October 2023 time period, right? 3 A. Yesh. I mean, it should have been at 4 least. I Delieve John Giamatteo knew as well 5 because I was being asked from people in the 6 company, John Giamatteo saying he's going to be the 6 company, John Giamatteo saying he's going to be the 6 company, John Giamatteo saying he's going to be the 6 company, John Giamatteo saying he's going to be the 6 company, John Giamatteo saying he's going to be the 6 company, John Giamatteo saying he's going to be the 7 next CEO and Neelam – like do you know if that's 8 true? And I didn't have a conversation but he was 8 true? And I didn't have a conversation but he was 9 telling people. 9 Q. You mentioned being interviewed by an 17:53:08 12 outside law firm as part of an investigation of 20 allegations against John Giamatteo. 13 anot. 14 Q. So it's your testimony intarcertainly not 16 lawsuit starting, your testimony is you never laid. 17 eyes on an Ethics-Links complaint from October or 18 November of 2023 that alleged sexual misconduct by John Giamatteo? 20 MS. BOURN: Asked and answered, 17:55:54 21 THE WITNESS: Asked and answered, 17:56:06 22 a ship and the saking and suswering the same 23 so he's clearly asking and answering the same 24 question. 25 Please don't point at her. 17:56:06 26 Page 28 27 Page 282 28 Please don't point at her. 17:56:18 29 A. Pun aware of a complaint. I don't know 17:53:44 30 when it was submitted. Like it would have been 30 your objection. The witness then just repeated 30 your objection and declined to answer the question. 31 anot alleging sexual misconduct by John Giamatteo? 32 your objection and declined to answer the question. 33 your objection and declined to answer the question. 44 So now I have to ask the question again. 45 Your startimony is that at no point prior or to this litigation did you ever lay eyes on an 18 thies Link complaint fabout of the thin your 17:55:34 40 When it was a solidated the fore of complaint sabou		or an e-mail, but I remember him being in the loop 17:52:06		BY MR. LAVOIE: 17:54:58
4 closely held information? 5 In Iron where were other people who knew, 17:55:29 6 Ikle Phil Kurtz knew and Phil Kurtz told Tim Foset. 7 But other than that — from my perspective on who I spoke with, that's who I had spoken with. 9 Q. Your impression at the time was that it 10 was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to deptry? This is in the late 117:55:29 In was about to Meclam — like do you know if that's 15 because I was being asked from people in the 17:55:29 In early 16 company, John Giamatteo saying he's going to be the 17:55:29 In was 12				
5 A. I know there were other people who knew, 6 like Phil Kurtz knew and Phil Phil Phil Phil Phil Phil Phil Phil				
6 like Phil Kurtz knew and that — from my perspective on who I  8 spoke with, that's who I had spoke with.  9 Q. Your impression at the time was that it  10 was a small circle of people who knew that John Chen  17:52-540 lit  10 was about to depart? This is in the late  20 October 2023 time period; right?  11 A. Not that I recall. I know you've probably the law fill the law firm investigation? Have you ever read it?  12 port is, but — you've mentioned it but, no, I have  13 not.  14 Q. So it's your testimony that certainly not  15 because I was being asked from people in the  16 company, John Giamatteo asying he's going to be it  17:52-52  18 true? And I didn't have a conversation but he was  19 telling people.  19 Q. You mentioned being interviewed by an  10 outside law firm as part of an investigation of  21 outside law firm as part of an investigation of  22 allegations agains John Giamatteo.  23 Are you aware of the existence — I'm not  24 a sking anything more than just whether you're aware  25 as of the today that at some point in October of  26 A. No. I don't even know what was in the  27 complaint to be able to say anything.  28 point in the law fill the law fill the law firm investigation? Have you've probably to  29 complaint shote.  21 point is the Law fill the law				
7 But other than that — from my perspective on who I 8 spoke with, that's who I had spoken with. 18 spoke with, that's who I had spoken with. 19 Q. Your impression afte the mewas that it 10 was a small circle of people who knew that John Chen 17:52:40 10 the law firm investigation? Have you ever read it? 17:55:25 11 was about to depart? This is in the late 17:55:240 10 the law firm investigation? Have you ever read it? 17:55:25 12 (20 tile but 2) got it, but 1 recall. I know you've probably 12 (20 til. but 1 recall. I kno	_			-
8 spoke with, that's who I had spoken with. 9 (2) Your impression at the time was that it. 10 (2) Was as small circle of people who knew that I often Chen. 11 was about to depart? This is in the late. 12 October 2023 time period, right? 13 A. Yeah. I mean, it should have been at. 14 least. I believe John Giamatteo Knew as well. 15 because I was being asked from people in the. 17:52:52 because I was being asked from people in the. 17:52:52 to because I was being asked from people in the. 17:52:52 to company, John Giamatteo Knew as well. 16 company, John Giamatteo saying he's going to be the. 17:52:52 to true? And I didn't have a conversation but he was. 18 true? And I didn't have a conversation but he was. 19 telling people. 10 outside I aw firm as part of an investigation of 21 diagnostic against John Giamatteo. 21 Are you aware of the existence — I'm not asking more than just whether your aware. 22 as of the today that at some point in October of 17:53:07 Page 282. 23 so fibe today that at some point in October of 17:53:08 when it was submitted. Like it would have been some sort of complaints about - other than your 17:54:01 to win, about sexual misconduct by John Giamatteo? 24 A. I was — was I aware? I was aware that there had been some sort of complaints about it. On this ling attion did you ever lay eyes on an investigation of 2023 that alleged sexual misconduct by John Giamatteo? 25 A. I may are of a complaint. I don't know 17:53:40 to this ling attion did you ever lay eyes on an investigation of 2023 that alleged sexual misconduct by John Giamatteo? 3 your objection and declined to answert the question. 3 your objection and declined to answert the question. 4 So now I have to ask the question agains. 5 your late of the wines then just repeated a your objection and declined to answert the question. 5 your objection and declined to answert the question. 5 your objection and declined to answert the question. 6 Q. A. A was — was I aware? I was aware that 1 was a wate that 1 was a wate that 1 was a wate that 1				
9 Q. Vour impression at the time was that it was about to depart? This is in the late 1 was about to depart? This is in the late 1 was about to depart? This is in the late 1 leaves the late 1				
10 was a small circle of people who knew that John Chen 17:52:40 10 the law firm investigation? Have you ever read it? 17:55:25 20 cloteber 2023 time periods; right? 20 cloteber 2023 time periods; right? 21 2 got it, but – you've mentioned it but, no, I have 2 3 a. Not that I recall. I know you've probably 2 2 got it, but – you've mentioned it but, no, I have 3 not. 14 least. I believe John Giamattec Rnew as well 14 Q. So it's your testimony that certainly not 15 prior to bit litigation; right? So prior to his 17:55:39 16 company, John Giamattec saying he's going to be the 47 next CEO and Neelum – like do you know if that's 18 trus? And I didn't have a conversation but he was 19 telling people. 20 Q. You mentioned being interviewed by an 17:53:08 12 untiside law firm as part of an investigation of 21 untiside law firm as part of an investigation of 22 allegations against John Giamattec. 23 Are you aware of the existence – I'm not 24 asking anything more than just whether you're aware 25 as of the today that at some point in October of 17:53:30 and alleging sexual misconduct by John Giamattec? 22 2023, there was an anonymous Ethics-Link complaint 3 made alleging sexual misconduct by John Giamattec? 22 2023, there was an anonymous Ethics-Link complaint 4 own know 17:54:01 1 own, about sexual misconduct by John Giamattec? 4 Are you aware of that as of today? 4 Are you aware of a complaint. I don't know 17:54:01 1 own, about sexual misconduct by John Giamattec? 4 Are you aware of or that as of today? 5 A. I may a submitted. Like it would have been some sort of complaint about the boys' club 4 culture he was creating, but I didn't know if that 5 was Rike an official HR complaint or what, but 1 17:54:01 1 own, about sexual misconduct by John Giamattec? 4 A. I did not. 17:56:31 1 17:56:39 1 2 M. B. BOURN: Asked and answered. 17:56:39 1 2 M. B. BOURN: Asked and answered of 2023 did you were the proposed of the existence — I 17:56:39 1 2 M. B. BOURN: Asked and answered of 2023 did you were than your submit an anonymous				
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19 telling people. 20 Q. You mentioned being interviewed by an 17:53:08 20 Q. You mentioned being interviewed by an 17:53:08 21 outside law firm as part of an investigation of 21 outside law firm as part of an investigation of 22 allegations against John Giamatteo. 21 Are you aware of the existence – I'm not 23 so he's clearly asking and answered, right? 22 allegations against John Giamatteo of 17:53:27 Page 282 2023, there was an anonymous Ethics.Link complaint an anonymous Ethics.Link of 22 and 18 so fit today that at some point in October of 17:53:30 20 2023, there was an anonymous Ethics.Link of 22 and 24 question. 24 Are you aware of that as of today? 4 Are you aware of a complaint. I don't know 17:53:44 4 When it was submitted. Like it would have been 3 ometime before MoFo interviewed me I'm guessing. 8 Q. And so prior to your interview with 9 Morrison & Forester, were you aware that there had 24 been some sort of complaint about — other than your 17:54:01 1 own, about sexual misconduct by John Giamatteo? 11 own, about sexual misconduct by John Giamatteo? 12 A. I was — was I aware? I was aware that 3 there had been complaints about it. 3 was like an official HR complaint or what, but 1 was like an official HR complaint or what, but 1 own, about sexual misconduct by John Giamatteo? 12 Q. Did you write or submit an anonymous 8 Ethics.Link complaint regarding John Giamatteo in 9 October or November of 2023? 11 I shat your testimony? 12 I a shat your testimony? 13 I shat your testimony? 14 I ava shide an official HR complaint or what, but 1 own, about sexual misconduct by John Giamatteo? 18 to this litigation did you ever lay eyes on an 18 Ethics.Link complaint pregarding John Giamatteo? 19 2023 that alleged sexual misconduct by John Giamatteo? 19 2023 that alleged sexual misconduct by John Giamatteo? 19 2023 that alleged sexual misconduct by John Giamatteo? 19 2023 that alleged sexual misconduct by John Giamatteo? 19 2023 that alleged sexual misconduct by John Giamatteo? 19 2023 that alleged sexual misconduc	17	-	17	
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Page 282  1 aware as of today that at some point in October of 2023?  1 aware as of today that at some point in October of 2023?  2 2023, there was an anonymous EthicsLink complaint amade alleging sexual misconduct by John Giamatteo?  4 Are you aware of that as of today?  5 A. I'm aware of a complaint. I don't know 17:53:44  6 when it was submitted. Like it would have been resume the fore MoFo interviewed me I'm guessing.  8 Q. And so prior to your interview with power in some sort of complaint about — other than your 17:54:01  10 won, about sexual misconduct by John Giamatteo?  2 A. I was — was I aware? I was aware that culture he was creating, but I didn't know if that was like an official HR complaint or what, but I was like an official HR complaint or what, but I.  4 A. I did not. 17:54:41  5 D. Did you write or submit an anonymous EthicsLink complaint about power lay eyes on an submitted. I was not looped into that.  5 BY MR. LAVOIE: 17:56:18  6 D. Your testimony is that at no point prior to this litigation did you ever lay eyes on an submitted in October or November of 2023 that alleged sexual misconduct by John Giamatteo?  10 Giamatteo? 17:56:31  11 Is that your testimony?  12 MS. BOURN: Asked and answered.  13 THE WITNESS: Correct. Yeah, I was not the extension again.  14 recipient. I was not looped into that.  15 BY MR. LAVOIE: 17:56:31  16 Q. In October or November of 2023 did you 17 have any conversations with anyone in which they were thinking about filing a 19 complaint about John Giamatteo?  20 A. I did not. 17:54:41  21 Q. Did you see any words that, to your 21 Q. Did you see any words that, to your 22 Q. I'm not asking whether you recall it.  22 I'm asking, did it happen or did it not?  23 So is it your testimony that at no time in October 4 or November of 2023 did anyone tell you that they were contemplating about filing a 20 or November of 2023 did anyone tell you that they 20 were contemplating submitting a complaint against 17:55:55	24			1
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2 MS. BOURN: Can you read back the question, 3 please? 4 MR. LAVOIE: No. 5 MS. BOURN: Your question is confusing. You're 6 asking a double negative. "At no time" isn't it 7 correct. 8 MR. LAVOIE: These speaking objections are 9 obviously obstructive. 10 MS. BOURN: Answer the question. I want it 17:57:23 11 read back so it's clear what you're asking. 12 BY MR. LAVOIE: 13 Q. Here's my question. 14 At any time in October or November 2023, 15 did anyone tell you that they were thinking about 17:57:31 18 was—it was—I don't know, Rich Curiale who 17:59:39 18 you if it had occurred? If someone had come to you 20 during that time period when John Chen was 17:57:45 21 departing, and they said, "I'm thinking about filing 22 a complaint against John Giamatteo for sexual 23 misconduct," do you think that would be memorable to 24 you? 25 (Reporter seeks clarification.) 17:57:59  2 Q. And you didn't provide information to 3 someone else who you understood to be submitting it; 4 correct? 5 MS. BOURN: Calls for speculation. 17:59:39  MS. BOURN: Mon't know who submitted it. 7 BY MR. LAVOIE: 10 be submitting it. That's my question. 11 MS. BOURN: Wait a minute. You didn't not do 17:59:39  11 MS. BOURN: Wait a minute. You didn't not do 17:59:39  12 something; isn't that correct? Is that the 13 question? 14 THE WITNESS: Let's say hypothetically, it 15 was—it was—I don't know, Rich Curiale who 17:59:39  18 pople don't hink I'm like giving it up. I've 19 talked to him about—or someone from MoFo, I've 20 during that time period when John Chen was 17:57:45 21 departing, and they said, "I'm thinking about filing 22 a complaint against John Giamatteo for sexual 23 misconduct," do you think that would be memorable to 24 you? 25 (Reporter seeks clarification.) 26 Q. So this complaint said that it was being 17:57:59 27 Q. So this complaint aid that it was being 17:57:	1	John Giamatteo? 17:57:09	1	write the complaint or submit it. 17:59:21
3 please? 4 MR. LAVOIE: No. 5 MS. BOURN: Your question is confusing. You're 5 MS. BOURN: Your question is confusing. You're 6 asking a double negative. "At no time" isn't it 7 correct. 8 MR. LAVOIE: These speaking objections are 9 obviously obstructive. 10 MS. BOURN: Answer the question. I want it 17:57:23 11 read back so it's clear what you're asking. 12 BY MR. LAVOIE: 13 Q. Here's my question. 14 At any time in October or November 2023, 15 did anyone tell you that they were thinking about 17:57:31 16 submitting a complaint about John Giamatteo? 17 A. Not that I recall, no. 19 you if it had that would be memorable to 20 during that time period when John Chen was 17:57:45 21 departing, and they said, "I'm thinking about filing 22 a complaint about John Giamatteo for sexual 23 misconduct," do you think that would be memorable to 24 you? 25 (Reporter seeks clarification.) 26 Q. So you think that would be memorable to 27 Or November 10 2023, right around the time that John 28 Q. So you think it's possible that in October 29 or or wovener or 2023, right around the time that John 3 Q. So doughing about John Giamatteo? 4 Q. So you think it's possible that in October 5 Q. So you think it's possible that in October 6 Q. So you think it's possible that in October 7 or November 10 2023, right around the time that John 8 Chen was departing BlackEvry, that someone may have 9 said, "I'm thinking about filing a complaint 10 alleging sexual misconduct by John Giamatteo," and 17:58-17 15 did and the boys' ethole culture he was creased 16 Q. So dou think it's possible that in October 17:58-17 16 Q. So dou't remember thating. 17:58-18 19 W MR. LAVOIE: 19 W MR. LAVOIE: 10 All the word of the word of the word of the complaint about John 17:58-17 18 Q. So did you ever contribute information 19 All ginging sexual misconduct by John Giamatteo," and 17:58-17 20 All the word of the				•
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10 MS. BOURN: Answer the question. I want it   17.59:29   11 read back so it's clear what you're asking.   11 mask aback so it's clear what you're asking.   11 mask BOURN: Wait a minute. You didn't not do a back so it's clear what you're asking.   12 ms. MS. BOURN: Wait a minute. You didn't not do a submitting at complaint about John Giamatteo?   13 question?   14 MS. BOURN: Wait a minute. You didn't not do a working; isn't that correct? Is that the   12 something; isn't that correct? Is that the   17.59:39   17.57:31   18 question?   17.57:31   18 question?   17.57:31   18 question?   17.57:31   18 question?	9		9	
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	24	remember, then I don't know who submitted it so	24	a collective complaint.
25 like I don't know. But I haven't like I didn't 17:59:17   25 BY MR. LAVOIE: 18:01:17   Page 287   Page 287	25		25	BY MR. LAVOIE: 18:01:17 Page 289

	for the role and there's really no perfect answer to 18:15:	:27		Giamatteo's numbers were not where they needed to	18:17:4
2	that question. It wasn't some career I was		2	be. They were quite poor. And so he needed his	
3	pursuing. I wasn't pursuing it. But saying no		3	team, John Giamatteo and his team, to be focused on	
4	, ,		4	different deals than us so that we weren't we	
5		15:45	5	were driving as much opportunity and pipeline for	18:17:55
	his question and gave a sort of middle-of-the-road		6	the business. So I was told to drive that	
7			7	separation for those two reasons.	
8	that there was a right answer. But it wasn't		8	Q. You would reprimand members of your team	
9	something I had asked John Chen for or put an		9	if you found out that they had collaborated with	
10	ambition out there for. 18:15:59		10	other teams or individuals within the company;	18:18:10
11	Q. Dick Lynch testified that you brought up		11	correct?	
12	the concept of you yourself becoming CEO. You deny		12	A. Absolutely not, no.	
13			13	Q. You routinely spoke negatively about	
14	A. Yes.		14	Mr. Giamatteo to your employees on the elite	
15	Q. You testified that Dick Lynch was the one 18:16	5:08	15	customer success team, did you not?	8:18:20
16	who initiated the conversation about whether you		16	A. No, I did not.	
17	would be interested in being CEO, not you; right?		17	Q. You told your team not to work with	
18	A. I asked him have they already decided		18	Mr. Giamatteo's team because if they did,	
19	who's going to be CEO and that's when he asked me		19	Mr. Giamatteo's team would claim the wins; correct?	
20	would I want to be it. 18:16:24		20	A. No. As I explained, John Chen had said he	18:18:31
21	Q. Dick Lynch testified that you told him		21	didn't want to get put into a situation of double	
22	that you felt you were qualified to be BlackBerry's		22	comp. It happened a few times, and he asked us to	
23	CEO.		23	ensure that separation. And he needed the teams	
24	Did you tell Dick Lynch that you felt you		24	the business was doing very poorly. He needed the	
25	were qualified to be BlackBerry's CEO? 18:16:: Pag	33 ge 302	25	teams to be looking at different accounts because we	18:18:47 Page 304
1	A. I don't remember using those words. But 18:16	:36	1	needed all to be driving as much pipeline as 18:18:5	2
2	as I say, I kind of gave a middle-of-the-road answer		2	possible and as many deals as possible. That's what	
3	from what I remember because I didn't think a		3	I would have communicated if anything.	
4	yes-or-no answer would have been the right thing at		4	MR. LAVOIE: Do you want to take a break?	
5	that time. 18:16:46		5	THE REPORTER: Sure. 18:19:07	
6	Q. Did you tell Dick Lynch that you'd like to		6	THE VIDEOGRAPHER: This marks the end of Media	
7	be considered for the CEO role in response to his		7	Unit 6. We are going off the record. The time is	
8	question?		8	6:19 p.m.	
9	MS. BOURN: Asked and answered.		9	(Recess taken.)	
10	THE WITNESS: Yeah. I remember giving a 18	:16:53	10	THE VIDEOGRAPHER: This marks the beginning of	18:46:17
11	middle-of-the-road answer because I was thinking if		11	Media Unit 6 or 7. We are going back on the	
12	I say yes, it could be seen as problematic. To say			record. The time is 6:46 p.m.	
13	no, I'm not driven enough or don't think I've got			BY MR. LAVOIE:	
14	the skill set. So it's like I'll give a		14	Q. Who do you believe made the decision to	
15	middle-of-the-road answer, that I didn't think there 18:17	7:06	15	terminate you? 18:46:30	
16	was a right answer to the question.		16	MS. BOURN: Calls for speculation.	
17	BY MR. LAVOIE:		17	THE WITNESS: I think it was an ultimatum from	
18	Q. Did you ever instruct members of your		18	John Giamatteo.	
19	elite customer success team that they shouldn't work		19	BY MR. LAVOIE:	
20	·	17:16	20	Q. So you think John Giamatteo was ultimately 18:4	6:42
21	team wasn't very competent?		21	the person who decided to fire you?	
22	A. No. I was told by John Chen that we		22	A. Yeah. I would say he wouldn't sign the	
23	needed to keep certain deals separate from the cyber		23	CEO contract unless I was fired, so	
24	BU because the sales teams would otherwise want to		24	Q. What's the most concrete thing you're	
25		7:35		aware of that leads you to believe that the person 18:46:	58
	1		-	, F 10.10.	

1	who made the decision to fire you wasn't Dick Lynch, 18:4	47:02 1	A. No. Again, not somebody they worked with. 18:49:33
2	it was actually John Giamatteo?	2	Q. You would often call members of your elite
3	A. The two years leading up to my	3	customer success team at BlackBerry at 9:00 p.m.,
4	termination, my firing, where he threatened me that	4	10:00 p.m., 11:00 p.m. at night and talk to them for
5	he was going to ruin my career. He said he was 18:47:2	20   5	a long time about work; correct? 18:49:53
6	working on getting me out of the company. I heard	6	A. Not correct.
7	from multiple people that he was not going to sign	7	Q. If one of your team members told you they
8	the contract for CEO if he didn't get if I wasn't	8	couldn't get a particular thing done, you would
9	fired first.	9	often respond to them, "Is that what you would want
10	And then the timing of me being fired 18:47:41	10	me to tell John Chen?" 18:50:05
11	versus when he actually ended up signing the	11	A. Absolutely not.
12	contract, and then the timing of my deadline to tell	12	Q. You deny that?
13	people I had resigned versus when he was announced,	13	A. I deny that.
14	all of those things.	14	Q. Have you ever said that to a subordinate
15	Q. Did you ever tell Hans-Peter Bauer about 18:48:0-	4 15	at BlackBerry when they told you they couldn't get 18:50:10
16	John Giamatteo having made an advance?	16	something done? Did you ever tell them, "Is that
17	A. Hans-Peter Bauer was part of the boys'	17	
18	club so no.	18	A. No, I don't speak like that.
19	Q. Did you ever tell Phil Kurtz that John	19	Q. In talking to colleagues or members of
20	Giamatteo had made an advance on you? 18:48:1	.9 20	your team, you would refer to your relationship with 18:50:25
21	A. Also part of the boys' club.	21	John Chen nonstop.
22	Q. So?	22	Do you agree with that?
23	A. So no, I did not.	23	A. It was actually the opposite. I would
24	Q. Did you ever tell Tim Foote that John	24	make sure I wasn't doing that.
25	Giamatteo had made an advance? 18:48:28 Page	306 25	Q. You would name-drop John Chen all the time 18:50:41 Page 308
1	A. Yes, I did. And Tim Foote and Phil Kurtz 18:48:2	9 1	in your conversations around the company. 18:50:43
2	were very close as well.	2	
3	Q. So what facts did you share with Tim	3	A. I disagree with that.
4	Foote? Did you share the touching with him?	4	Q. You were often demonstrably angry when you
5	A. Yes, I did. 18:48:41	5	were talking to your employees on the elite customer 18:50:51
6	Q. And did you share any details about the	6	
7	touching as like in terms of where on your body or	7	Do you deny that?
8	things like that with Tim Foote?	8	
9	A. Not as specific as I've gotten into today	9	Q. Mark Mosiadz was a member of your elite
	but enough detail that it was clear what was 18:48:55	10	•
11		11	,
12		12	
	Mr. Giamatteo said, "We should travel together." He		took medical leave?
14		14	
15			•
		16	
	nad touched you inappropriately?	1.0	
16	had touched you inappropriately?  A. Yes, I did.	17	
16 17	A. Yes, I did.	17	
16 17 18	A. Yes, I did. Q. You routinely spoke negatively about Tim	18	was thinking of either terminating him or moving his
16 17 18 19	A. Yes, I did.  Q. You routinely spoke negatively about Tim  Foote to members of your elite customer success	18 19	was thinking of either terminating him or moving his reporting line to report to not to report
16 17 18 19 20	A. Yes, I did.  Q. You routinely spoke negatively about Tim  Foote to members of your elite customer success team; correct?  18:49:23	18 19 20	was thinking of either terminating him or moving his reporting line to report to not to report directly to me as he needed much more coaching and 18:51:3
16 17 18 19 20 21	A. Yes, I did. Q. You routinely spoke negatively about Tim Foote to members of your elite customer success team; correct? 18:49:23 A. No, they didn't have exposure to Tim	18 19 20 21	was thinking of either terminating him or moving his reporting line to report to not to report directly to me as he needed much more coaching and mentoring and wasn't operating effectively.
16 17 18 19 20 21 22	A. Yes, I did.  Q. You routinely spoke negatively about Tim  Foote to members of your elite customer success team; correct? 18:49:23  A. No, they didn't have exposure to Tim  Foote.	18 19 20 21 22	was thinking of either terminating him or moving his reporting line to report to not to report directly to me as he needed much more coaching and mentoring and wasn't operating effectively.  So that may have had something to do with
16 17 18 19 20 21 22 23	A. Yes, I did. Q. You routinely spoke negatively about Tim Foote to members of your elite customer success team; correct? 18:49:23 A. No, they didn't have exposure to Tim Foote. Q. You also routinely spoke negatively to	18 19 20 21 22 23	was thinking of either terminating him or moving his reporting line to report to not to report directly to me as he needed much more coaching and mentoring and wasn't operating effectively.  So that may have had something to do with it, because I wonder if that leaked from the Jenn
16 17 18 19 20 21 22 23 24	A. Yes, I did.  Q. You routinely spoke negatively about Tim  Foote to members of your elite customer success team; correct?  18:49:23  A. No, they didn't have exposure to Tim  Foote.  Q. You also routinely spoke negatively to	18 19 20 21 22	was thinking of either terminating him or moving his reporting line to report to not to report directly to me as he needed much more coaching and mentoring and wasn't operating effectively.  So that may have had something to do with it, because I wonder if that leaked from the Jenn Bramhill somehow.

1 A. Yes. 19:02:12 2 Q. You're expressing skepticism about the 2 Q. And the reason you did that is because you 3 medical need for her leave; correct? 3 were hoping to block him from becoming CEO; comparison of the procedures and processes at work and never expressed 5 wanted an organization that I can't remember the 6 procedures and processes at work and never expressed 6 e-mail. So if you could pull it up. But he said 7 that at work. 7 something about it was in the e-mail, I can't 8 e-mail. So if you wrote, "She thinks Choppers will be 8 recall, but the kind of organization that he was 9 looking for. And so I was showing him, in the ho 10 A. Because I had heard that from others on 19:02:34 11 the team that that was why she was being difficult 11 is I'm allowed to report internally if I'm being	orrect?
3 medical need for her leave; correct?  4 A. To a friend privately, not in a  5 professional environment, and I followed the right 19:02:20  6 procedures and processes at work and never expressed  7 that at work.  8 Q. You wrote, "She thinks Choppers will be  9 CEO by then." Why did you write that?  10 A. Because I had heard that from others on 19:02:34  11 the team that that was why she was being difficult  3 were hoping to block him from becoming CEO; or A. No. Dick Lynch had expressed that he  5 wanted an organization that I can't remember the  6 e-mail. So if you could pull it up. But he said  7 something about it was in the e-mail, I can't  8 recall, but the kind of organization that he was  9 looking for. And so I was showing him, in the ho	orrect?
4 A. To a friend privately, not in a 5 professional environment, and I followed the right 19:02:20 6 procedures and processes at work and never expressed 7 that at work. 8 Q. You wrote, "She thinks Choppers will be 9 CEO by then." Why did you write that? 9 looking for. And so I was showing him, in the ho 10 A. Because I had heard that from others on 19:02:34 11 the team that that was why she was being difficult  4 A. No. Dick Lynch had expressed that he 5 wanted an organization that I can't remember th 6 e-mail. So if you could pull it up. But he said 7 something about it was in the e-mail, I can't 8 recall, but the kind of organization that he was 9 looking for. And so I was showing him, in the ho 10 that he would help resolve the issues, that this 11 is I'm allowed to report internally if I'm being	
5 professional environment, and I followed the right 19:02:20 6 procedures and processes at work and never expressed 6 e-mail. So if you could pull it up. But he said 7 that at work. 7 something about it was in the e-mail, I can't 8 P. You wrote, "She thinks Choppers will be 9 CEO by then." Why did you write that? 9 looking for. And so I was showing him, in the ho 10 A. Because I had heard that from others on 19:02:34 10 that he would help resolve the issues, that this 11 the team that that was why she was being difficult 11 is I'm allowed to report internally if I'm being	e 19:04:33
6 procedures and processes at work and never expressed 7 that at work. 8 Q. You wrote, "She thinks Choppers will be 9 CEO by then." Why did you write that? 9 looking for. And so I was showing him, in the ho 10 A. Because I had heard that from others on 19:02:34 11 the team that that was why she was being difficult 10 defending about it was in the e-mail, I can't a recall, but the kind of organization that he was 9 looking for. And so I was showing him, in the ho 10 that he would help resolve the issues, that this 11 is I'm allowed to report internally if I'm being	19:04:33
7 that at work.  8 Q. You wrote, "She thinks Choppers will be 9 CEO by then." Why did you write that?  9 Leo by then." Why did you write that?  10 A. Because I had heard that from others on 19:02:34  11 the team that that was why she was being difficult  12 something about it was in the e-mail, I can't 8 recall, but the kind of organization that he was 9 looking for. And so I was showing him, in the hour 10 that he would help resolve the issues, that this 11 is I'm allowed to report internally if I'm being 11 is I'm allowed to report internally if I'm being 12 is I'm allowed to report internally if I'm being 13 is I'm allowed to report internally if I'm being 14 is I'm allowed to report internally if I'm being 15 is I'm allowed to report internally if I'm being 15 is I'm allowed to report internally if I'm being 16 is I'm allowed to report internally if I'm being 17 is I'm allowed to report internally if I'm being 17 is I'm allowed to report internally if I'm being 18 is I'm allowed to report internally if I'm being 18 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally if I'm being 19 is I'm allowed to report internally i	
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9 CEO by then." Why did you write that?  9 looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for. And so I was showing him, in the hour looking for was showing him,	
10 A. Because I had heard that from others on 19:02:34  10 that he would help resolve the issues, that this 11 the team that that was why she was being difficult  11 is I'm allowed to report internally if I'm being	
11 the team that that was why she was being difficult  11 is I'm allowed to report internally if I'm being	pe
	19:04:50
12 with me, because she felt that she didn't need to 12 sexually harassed or retaliated against. So that's	
13 work with me as her manager, that I would be gone 13 what I was doing.	
14 soon. Q. Did you ever tell Dick Lynch that John	
15 Q. Did you think that John Giamatteo might be 19:02:48 15 Giamatteo had made an advance at you?	19:05:07
16 CEO in four weeks?  A. I didn't get the opportunity to, and I	
17 A. I had no idea what John Giamatteo had 17 assumed he knew because of the MoFo investigate	ion.
18 decided about his contract at that point.  18 So my testimony in the MoFo investigation, the	
19 Q. Well, this is after John Chen had 19 board my assumption was that they would be av	vare
20 departed. This was when Dick Lynch was the interim 19:02:59 20 of those things.	25
21 CEO, so November of 2023. And at that point, did 21 Q. You never told MoFo that John Giamatteo	
22 you have any thought as to whether Mr. Giamatteo  22 ever touched you or tried to touch you	
23 would be CEO four weeks from then?  23 inappropriately?	
24 A. Well, based on what Dick Lynch said, that 24 A. I don't remember exactly what I said to	
25 they had already decided who the CEO is, when I 19:03:14 Page 318  25 them, but I remember very clearly I asked them	19:05:33 Page 320
1 around the time of my MoFo interview, then I would 19:03:17 1 before the call to give me a heads up on what the	19:05:36
2 say yes. If that date is I can't remember the 2 call was about so I could be thoughtful and prepar	·e
3 date I met Dick Lynch. 3 for it. And when I got on the call, I was surprised	
4 Q. So after your conversation after your 4 to learn about what the call was about. And it was	S
5 one-on-one with Dick Lynch, whenever that was, you 19:03:32 5 very hard to recollect and gather all my thoughts.	19:05:47
6 believed that John Giamatteo would become the next 6 So I gave them the information that I	
7 CEO? 7 could emotionally get together in that moment in	
8 A. That was pretty much clearly what Dick 8 time, and it was a very short conversation. Today	
<ul> <li>8 A. That was pretty much clearly what Dick</li> <li>9 Lynch said in the conversation. He said they have</li> <li>8 time, and it was a very short conversation. Today</li> <li>9 we've been almost all day versus with them, it wo</li> </ul>	
9 Lynch said in the conversation. He said they have 9 we've been almost all day versus with them, it wo	
9 Lynch said in the conversation. He said they have 10 already decided who the CEO is going to be. 19:03:45  9 we've been almost all day versus with them, it wo 10 have been a 30-, 45-, or 60-minute call.	uld 19:06:07
9 Lynch said in the conversation. He said they have 10 already decided who the CEO is going to be. 11 Q. And you understood that person to be John 12 Q. You're saying that when you were speaking the said in the conversation. He said they have been almost all day versus with them, it wo leave to be a said in the conversation. He said they have been almost all day versus with them, it wo leave to be said in the conversation. He said they have been almost all day versus with them, it wo leave to be said in the conversation. He said they have been almost all day versus with them, it wo leave to be said in the conversation. He said they have been almost all day versus with them, it wo leave to be said in the conversation. He said they have been almost all day versus with them, it wo leave to be said they have been a sol, and the said they have been a sol, and the said they have been almost all day versus with them, it wo leave to be said	uld 19:06:07
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		9:06:49		retaliation from the conversation with them, too.	19:08:43
	You didn't tell them that; right?		2	So I could have told them he touched me. I don't	
3	A. I've answered this question. I'm not sure		3	recall the words and the specifics I used. It was a	
	why you're asking me again.	06.50	4	very emotionally distressing conversation.	10.00 #4
5	8 ,	06:59	5	Q. You also sent a follow-up e-mail or maybe	19:08:54
	you answered it. I'm saying you didn't tell the			more than one to the Morrison & Foerster lawyers;	
	Morrison & Foerster lawyers that John Giamatteo			correct?	
	touched or tried to touch you, you didn't tell them		8	A. I forwarded them some information that I	
9	that; correct?		9	had provided previously to HR.	10.00.04
10	A. Like no, that's not correct at all. 19:07:07		10	Q. And in those follow-up communications with	n 19:09:04
11	Q. So you told them, the Morrison & Foerster		11	Morrison & Foerster, you never told them that John	
12	lawyers, that John Giamatteo touched you or tried to		12	Giamatteo touched you; correct?	
13	touch you. That's your testimony?		13	A. In the e-mails to Morrison & Foerster, I	
14	A. I've given my testimony. You're asking me	7.00	14	didn't recount all the things that I had told them	00.20
15	again in a way that is trying to change my 19:07	/:22	15	· · · · · · · · · · · · · · · · · · ·	:09:20
16	testimony.		16	Q. But I'm just asking about what was in the	
17	Q. How? I'm just asking, did you tell the		17	e-mails and what wasn't.	
18	Morrison & Foerster lawyers that John Giamatteo		18	So in the e-mails, you didn't tell them	
19	touched you? Did you tell them that or did you not		19	that John Giamatteo had touched you; correct?	
20	tell them that? 19:07:32		20	A. I had already had the conversation with	19:09:29
21	A. I've answered the question and you're		21	them on the call, so the e-mails I wasn't writing	
22	trying to change my testimony. My answer is what it		22	anything I was forwarding them something	
23	is. I had a conversation with them. It was a very		23	specific. I wasn't writing something new	
24	emotionally distressing conversation, and I		24	necessarily.	
25	1	:07:45 Page 322	25	MR. LAVOIE: I'm going to movie to strike all	19:09:41 Page 324
1	must have a transcript of the conversation or a 19:0	07:50	1	that as nonresponsive again. 19:09:43	
2	recording, that I was sexually harassed and that he		2	BY MR. LAVOIE:	
3	told me then that he was going to what was the		3	Q. In your e-mails with Morrison & Foerster	
4	phrase ruin my career. He was working on getting		4	in your follow-up after your meeting with them, did	
	1 2	9:08:07	5	you tell them that John Giamatteo had touched you?	9:09:49
6	I've described.		6	A. We can review the e-mails. I can't	
7	MR. LAVOIE: I'll move to strike all that as		7	remember what was in them.	
8	nonresponsive.		8	Q. You don't remember one way or another in	
9	BY MR. LAVOIE:		9	your e-mails whether you mentioned that John	
	Q. I actually don't know your answer to this 19:0	8:14	10	Giamatteo touched you? 19:09:57	
10	Q. Taevaan acremien jour answer to this			Gramatico touched you:	
	question.		11	A. I have provided the e-mails. Could we	
				•	
11	question.			A. I have provided the e-mails. Could we	
11 12	question.  Did you tell the Morrison & Foerster		12	A. I have provided the e-mails. Could we review them?	
11 12 13	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria	08:23	12 13	A. I have provided the e-mails. Could we review them?      Q. No. I'm asking for your recollection.      Is it your testimony that you just don't	<del>19:10:07</del>
11 12 13 14 15	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria	08:23	12 13 14	A. I have provided the e-mails. Could we review them?      Q. No. I'm asking for your recollection.      Is it your testimony that you just don't	19:10:07
11 12 13 14 15	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  19:	08:23	12 13 14 15	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails	19:10:07
11 12 13 14 15 16	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:	08:23	12 13 14 15 16	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with	19:10:07
11 12 13 14 15 16 17	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm	08:23	12 13 14 15 16 17	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched	19:10:07
11 12 13 14 15 16 17	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm asking you the question. You have not answered this		12 13 14 15 16 17	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched you? You just don't remember one way or another?	19:10:07
11 12 13 14 15 16 17 18	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm asking you the question. You have not answered this question.		12 13 14 15 16 17 18	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched you? You just don't remember one way or another?  A. I don't recall.	19:10:07
11 12 13 14 15 16 17 18 19 20	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm asking you the question. You have not answered this question.  Did you tell the Morrison & Foerster  19:08:		12 13 14 15 16 17 18 19 20	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched you? You just don't remember one way or another?  A. I don't recall.  Q. Okay. Thank you.  19:10:20	19:10:07
11 12 13 14 15 16 17 18 19 20 21	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm asking you the question. You have not answered this question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?		12 13 14 15 16 17 18 19 20 21 22	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection.  Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched you? You just don't remember one way or another?  A. I don't recall.  Q. Okay. Thank you.  Is it possible that you never told	19:10:07
11 12 13 14 15 16 17 18 19 20 21 22 23	question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  THE WITNESS: Maria  MS. BOURN: Asked and answered.  BY MR. LAVOIE:  Q. No, you don't get to ask your lawyer. I'm asking you the question. You have not answered this question.  Did you tell the Morrison & Foerster lawyers that John Giamatteo touched you?  A. As I said, I don't remember the exact		12 13 14 15 16 17 18 19 20 21 22	A. I have provided the e-mails. Could we review them?  Q. No. I'm asking for your recollection. Is it your testimony that you just don't remember one way or another whether, in your e-mails to Morrison & Foerster after your interview with them, you told them that John Giamatteo had touched you? You just don't remember one way or another?  A. I don't recall.  Q. Okay. Thank you. Is it possible that you never told  Morrison & Foerster that John Giamatteo had touched	19:10:07

		9:10:36		damages in this case. It also goes to your efforts	19:13:21
	recording. I couldn't remember.			to find a new job.	
	BY MR. LAVOIE:		3	You don't get to make objections,	
4	Q. Why do you doubt it?	10.10.40	4	Ms. Sandhu.	10.12.20
5	A. Because he sexually harassed me. Why	19:10:40	5	MS. BOURN: Ask a question and don't instruct	19:13:29
	would I not bring that up? But at the same time, it			her how to answer questions. Your job is to ask	
	was a very emotionally distressing call. As I said,		7	questions, not to tell her what to do. And don't do	
	they surprised me with it. I asked for advanced		8	that again. She's my client, not yours.	
	notice so I could recollect prepare for the	10.10.50		You can answer the question.	10.12.4
	, , ,	19:10:58	10	THE WITNESS: I had savings to tide me over	19:13:4
11	don't even remember what I said on the call, so it		11	some time, for a short period of time.  BY MR. LAVOIE:	
	was definitely a very difficult situation and it's		12		
	very hard to recall it all.		13	Q. How long?	
14	Q. When you were on the video conference with	10.11.1	14	A. I don't feel like I need to provide	10.12.40
	Dick Lynch where you were let go from BlackBerry,	19:11:1		MS. BOURN: You can it's okay.	19:13:49
	you were physically in Dubai; correct?		16	THE WITNESS: I don't know. A year and a ha	111,
17	A. Correct.		17	something like that.	
18	Q. BlackBerry paid for your trip to Dubai,		18	BY MR. LAVOIE:	
19	including your airfare and hotel; right?	20	19	Q. A year and a half? And you took a break	10.14.00
20	A. It was a business trip so yes. 19:11:2	28	20	before you started looking for a new job?	19:14:00
21	Q. And you stayed at the Ritz Carlton;		21	A. I got fired on December the fourth and it	
22	correct?		22	was the Christmas period. I started looking for a	
23	A. Correct.		23	job in January. And I also needed some time to	
24	Q. And did anyone from BlackBerry approve in	10 11 25	24	emotionally, like, start to heal and I had just	0.14.16
25	advance you staying at the Ritz Carlton on this trip	19:11:35 Page 326	25	been fired. That's a very, very difficult	9:14:16 Page 32
1	to Dubai? 19:11:38		1	experience. 19:14:20	
2	A. Dick Lynch said he didn't want to get		2	Q. So when did you begin your job search in	
3	involved in admin and we should just operate on		3	earnest?	
4	those things as we need to and Dubai hotels are		4	A. Sometime in January. I don't remember the	
5	the name Ritz Carlton might sound jazzy but Dubai	19:11:48	5	exact dates, but I think I provided you those, this	19:14:26
6	hotels are generally not priced that way.		6	information.	
7	Q. When you logged onto this call with Dick		7	Q. January 2024?	
8	Lynch, did you think it was possible that you were		8	A. Correct, yeah. I was fired in	
9	going to be let go during this call?		9	December 2023.	
0	A. I did not because I just landed in Dubai 19	9:12:03	10	Q. Okay. So by February and March of 2024	19:14:34
11	and HR before doing a termination, they would always		11	you were full blown looking for a new job?	
12	check, is the person on vacation? Are they on		12	A. Correct. Yeah, I was reaching out to	
13	business travel? They can see those details in the		13	recruiters, having conversations applying for jobs.	
14	system. So we never fire someone if they are on		14	I hadn't applied for a job in 15 years almost. So	
15		9:12:21	15	trying to figure out what that looked like and	19:14:54
6	MS. BOURN: Thirty-five minutes left.		16	writing a résumé and doing all those things.	
7	THE WITNESS: Thank you.		17	Q. You took did you take any trips to the	
	BY MR. LAVOIE:		18	UK in the months after you were fired from	
9	Q. After you left BlackBerry, were you		19	BlackBerry?	
		:13:04	20	A. I did, yeah. I always go to the UK for	19:15:09
21	just limit that to the months immediately after you		21	Christmas and New Year.	
22	were let go from BlackBerry.		22	Q. How many weeks were you there after in	
23	A. Why do I need to answer this question?		23	the months after you left BlackBerry?	
24	Q. Damages. You're alleging damages. You're		24	A. Maybe four weeks.	
		19:13:18	25	Q. Four weeks? 19:15:	21
	<i>5, 5 7 7</i> -, <i>4. 4</i>	Page 327	_	15110.	Page 32

1 don	o't agree and the deposition is closed. 19:43:11	1 Maria Bourn
2 1	MR. LAVOIE: That's all for me.	2 maria@gobolaw.com
3 7	THE VIDEOGRAPHER: Okay. We are off the record	3 September 5, 2025
4 at 7	7:43 p.m. and this concludes today's today given	4 RE: Sandhu, Neelam v. Blackberry Corporation
5 my	Neelam Sandhu. The total number of media used 19:43:23	5 8/22/2025, Neelam Sandhu, (#7525313).
6 was	s seven and will be retained by Veritext Legal	6 The above-referenced transcript has been
7 Solu	utions.	7 completed by Veritext Legal Solutions and
8	(Whereupon, the proceedings were concluded	8 review of the transcript is being handled as follows:
9	at 7:43 p.m.)	9 Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext
10	oOo 19:43:30	10 to schedule a time to review the original transcript at
11		11 a Veritext office.
12		12 Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF
13		13 Transcript - The witness should review the transcript and
14		14 make any necessary corrections on the errata pages included
15		15 below, notating the page and line number of the corrections.
16		16 The witness should then sign and date the errata and penalty
17		17 of perjury pages and return the completed pages to all
18		18 appearing counsel within the period of time determined at
19		19 the deposition or provided by the Code of Civil Procedure.
20		20 Contact Veritext when the sealed original is required.
21		21 Waiving the CA Code of Civil Procedure per Stipulation of
22		22 Counsel - Original transcript to be released for signature
23		23 as determined at the deposition.
24		24 Signature Waived – Reading & Signature was waived at the
25		25 time of the deposition.
	Page 354	Page 356
1	I, the undersigned, a Certified Shorthand	1 Federal R&S Requested (FRCP 30(e)(1)(B)) – Locked .PDF
2 R	eporter of the State of California, do hereby	2 Transcript - The witness should review the transcript and
	ertify:	3 make any necessary corrections on the errata pages included
4	That the foregoing proceedings were taken	4 below, notating the page and line number of the corrections.
5 be	efore me at the time and place herein set forth;	5 The witness should then sign and date the errata and penalty
6 th	nat any witnesses in the foregoing proceedings,	6 of perjury pages and return the completed pages to all
7 pr	rior to testifying, were administered an oath; that	7 appearing counsel within the period of time determined at
	record of the proceedings was made by me using	8 the deposition or provided by the Federal Rules.
9 m	nachine shorthand which was thereafter transcribed	9 _X_ Federal R&S Not Requested - Reading & Signature was not
10 ur	nder my direction; that the foregoing transcript is	
11 a	true record of the testimony given.	
12	Further, that if the foregoing pertains to	11
13 th	ne original transcript of a deposition in a Federal	12
14 C	ase, before completion of the proceedings, review	13
	f the transcript () was (X) was not requested.	14
16	I further certify that I am neither	15
17 fin	nancially interested in the action nor a relative	16
18 or	r employee of any attorney of any party to this	17
19 ac	ction.	18
20	IN WITNESS WHEDEOE I have this date	19
	IN WITNESS WHEREOF, I have this date	
21 su	abscribed my name.	20
		20 21
	ubscribed my name.	
22 D	ubscribed my name.  Pated: September 5, 2025	21
22 D 23	ubscribed my name.  Pated: September 5, 2025	21 22
22 D 23	ubscribed my name.	21 22 23